THE CASE FOR LAND NATIONALISATION

JOSEPH HYDER

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THE CASE FOR LAND NATIONALISATION

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THE CASE FOR LAND NATIONALISATION

BY

JOSEPH HYDER

SECRETARY TO THE LAND NATIONALISATION SOCIETY

AUTHOR OF
"LAND PROBLEMS," "PUBLIC PROPERTY IN LAND," "STATE LAND PURCHASE WITHOUT LOAN OR TAX," "THE CURSE OF LANDLORDISM"

WITH A SPECIAL INTRODUCTION BY

ALFRED RUSSEL WALLACE

D.C.L. (OXON.), F.R.S., O.M.

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PREFACE

BY

ALFRED R. WALLACE

D.C.L., F.R.S.; O.M.

President of the Land Nationalisation Society

AS Secretary to the Land Nationalisation Society for the past twenty-five years, Mr. Hyder has written many pamphlets on the land question, and has addressed many hundreds of meetings in all parts of the country. Every summer he has gone out with one of the Yellow Vans of the Society and carried the gospel of the land for the people into both towns and villages in nearly every county in Great Britain. The experience he has thus gained has given him such a knowledge of the whole land question, and especially of the attitude towards it of the various interested classes—workers and tradesmen, farmers and labourers, manufacturers and landlords—that no one is better fitted to deal with the whole subject, as he has done in the present book.

He discusses almost every aspect of the question, and, considering that it has been written amid the constant pressure of office work, it is a remarkably complete and instructive volume. Its nineteen chapters are crowded with facts and evidence which will be of the greatest value to our supporters in Parliament and elsewhere, and its appearance is especially valuable now that the Government has undertaken to deal with the subject in a thorough manner, and, to a large extent, in accordance with the principles we have so persistently advocated.

There is, however, one aspect of the land question to which I wish to call special attention, because it involves matters of principle which should never be lost sight of when proposed reforms are being discussed in Parliament.

In his second chapter, entitled "*A Cloud of Witnesses*," Mr. Hyder has given us a more complete and valuable exposition of the opinions of our greatest lawyers, political writers, and advanced thinkers, as to the actual status and strict limitations of modern land-holders, than any previous writer. These authorities date from Sir Thomas Littleton in the reign of Richard III., through Sir Edward Coke, a contemporary of Shakespeare, Sir William Blackstone in his *Commentaries on the Laws of England* in the early Georgian era, and a long succession of other authorities down to the present day, including such men as Adam Smith, Paley, Coleridge, J. S. Mill, Ruskin, and Tolstoy, who all declare, in most positive and assured terms, that there is and can be, according to the law and constitution of England enforced by principles of natural justice and morality, no such thing as *absolute property* in land. And there is really no exception to this general statement—no one great thinker, or writer, or lawyer, or moralist, who can be quoted on the other side. They all maintain that no individual *can* absolutely *own* land, and, further, that all the gifts of kings or parliaments cannot alter this great principle of law and natural justice, notwithstanding the claims and usurpations of landlords or the deeds of lawyers which often imply the contrary.

Yet, strangely enough, our rulers in Parliament have allowed this wicked and illogical power of unrestricted ownership to be upheld by a body of lawyers and judges who, though they must be familiar with the opinions of the authorities referred to, continually reiterate the contrary. They tell us that there is not one yard of English soil which has not an absolute owner. They

assert that this ownership must be assumed to exist unless it can be proved by some deed that it does not exist. They declare that not only all cultivable land, but even the soil of our highways, the water of our rivers, our unenclosed commons and mountains, our seashores down at least to low-water mark, and every living thing in or upon them *is* private property—the "cloud of witnesses" to the contrary notwithstanding!

But if there is not and cannot be absolute private property in any part of the land of our country, that statement now implies that it belongs absolutely and entirely to the nation at large, to whom all so-called rights of the Crown have descended through their representatives in Parliament, and should be administered for the benefit and enjoyment of every free-born Briton.

Mr. Hyder's book will be especially valuable by calling attention to the glaring inconsistency of our principles and our practice in this respect; and now that the Government have declared their intention of dealing with the anomalies and injustice of our actual land laws, as interpreted by lawyers and judges, will induce our representatives to insist that effect shall be given in every case to this great and indisputable principle. The very least that can be done is for Parliament to recognise that existing land-holders and their living heirs have no more than a *life interest* in the land they are permitted to hold, and that they shall in no case be compensated for more than the lowest net value of that life interest. And, further, it must be declared that the burden of proof of any legal rights to landed property must be shifted from the nation to themselves, and every particle of their alleged landed possessions and rights which they cannot *prove* to have been acquired legally and equitably shall at once be reclaimed as public property.

Every possible opportunity should be taken to bring

forward resolutions affirming the ancient rights of the Crown, to the absolute possession of the soil of our country, as trustee for the whole nation, subject only to the life interest of those who are now allowed to hold and occupy it. Thus only will this great injustice and spoliation of the people be gradually and beneficially redressed, with full regard to the fundamental rights of all to the use and enjoyment of their native land. To assist them in upholding this claim the present volume is an indispensable storehouse of facts and arguments.

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THE CASE FOR LAND NATIONALISATION

CHAPTER I

THE FIRST PRINCIPLES OF THE LAND QUESTION

THE steady depopulation of the country districts, the continued overcrowding of urban areas, the increasing emigration of some of the best bone and sinew to other lands, the increasing dependence of the country upon foreign food supplies, the growing burden of local taxation, the persistence of poverty despite the ever-increasing powers of producing wealth, and the prevalence of unemployment even when trade is at its best, are all problems of the first magnitude.

The future welfare of the people depends upon their solution, and it is impossible to study them without being brought face to face with the question of the laws relating to land. They are all, in fact, parts of the great land problem.

In a primitive state of society the land question is the only economic question. The dependence of man upon the soil is, in such a society, obvious to the most casual thought. In modern society, that dependence is not in the slightest degree lessened, but it is not so clearly

visible. For the complications of modern civilisation are so great and so varied that man is apt to forget that he is as much a land animal as any of his most remote predecessors were.

All the food he eats, all the clothing he wears, all the houses he inhabits, are derived from land as much as theirs were. Many things he has which they never had and never dreamt of, but not one of them is or can be derived from any other source than the land. And that land is the same land that grew the crops, and that fed the flocks and herds, and formed the sites and substance of the simple homes of men in the most distant times.

The costly viands that load the tables of a multi-millionaire come from the same mother earth that yielded the coarse diet of the savage. The many changes of raiment that are the joy and pride of the rich to-day are the products of land as much as the woad that decorated the bodies of their uncivilised savage ancestors, or the roughly-dressed skins with which they protected themselves from the inclemency of the weather.

The most magnificent liner that crosses the Atlantic, with thousands of human beings aboard, with all its rich furnishings and precious cargo, is made up of land material as much as was the first boat of the Ancient Briton which was simply the dug-out trunk of a tree.

The most complicated machine of the present day is in the direct line of succession from the simple implements of the Stone Age, and it is composed of land as they were. The whole of the wonderful productions of the world's factories, turned out under the system of modern capitalism, with all its vast ramifications, are of the same substance as those of the first handicrafts of the untutored savage.

All the work that man does is concerned with land, and is performed on land. Every atom of his body is derived from land, and will be returned to it, of the king no less than the commoner, of the prince no less than the peasant. It is the first necessary of the master of millions as truly as it is of the tramp upon the highway. From man himself to the lowest forms of life all animals need land. Without it, in fact, life is impossible and unthinkable.

The first characteristic of land is, therefore, its indispensability. This alone would place it in a category by itself, and separate it from all other things that are the subject of property.

Its second characteristic is that it is absolutely fixed in quantity. We speak of man *making* things. In strict truth man makes nothing. He creates nothing. All the materials with which he works were here before the first man came; before life itself made its appearance upon our planet. All the labour of the whole human race from the very beginning has not added, and never can add, one atom to the fixed stock of this raw material. By patience, knowledge, and industry, man can increase the productivity of land, or by unwise action he can diminish it; but its total amount is independent of all that he can do. He can neither make it nor destroy it. He can convert a swamp into a well-tilled field, or he can transform good soil into a desert. He can reclaim land from the sea, or, by the neglecting of sea defences, he may allow dry land to be covered by the ocean. But the area and volume of land are unchangeable.

For the term land includes that which is covered with water as well as that which is dry. It includes the whole planet from the surface to the centre, with all the water on it and under it. It includes the atmosphere which

envelops it as well as the life-giving rays of the sun which fall upon it.

The importance and urgency of the land question are due entirely to the unique attributes of the land itself. And, as it is the first necessary of life, all the arguments which apply against the private ownership of monopolies in general apply with additional and even irresistible force against the private ownership of the monopoly of land.

All other monopolies are the result of human action. The sale of intoxicants is limited to those who can acquire a licence from the Government. It is a monopoly created by Act of Parliament, and a licence for its renewal must be applied for every year. Then, by the Copyright Laws, authors and composers are granted a monopoly for a limited term of years, in the course of which they can charge what they choose, and so reap the reward of their brainwork. By the Patent Laws inventors are granted a similar limited monopoly in the ownership of machines and processes which are due to their genius. And the general opinion of mankind is in favour of such special monopolies, whether the object be the public control of a trade which is of a special character, or the encouragement of creative ability.

The monopoly of land is, however, not the creation of parliamentary enactments, but is inevitable in the nature of things. A Higher Power than the parliaments of man has decreed that it shall be so. By this or that law the number of its monopolists may be increased or reduced, but there can be no question of "abolishing" the monopoly of land any more than of abolishing the law of gravitation. The utmost that we can do is to make such laws to govern its occupation and use that the rights of the whole people shall be established and enforced, and their interests safeguarded.

EVERY MAN'S RIGHT TO THE EARTH

Much dialectical skill has been employed from time to time to prove that man has no natural rights at all. It has been contended that he has only such rights as society itself grants and recognises. All this is but the useless spinning of words. For practical purposes the laws of parliaments, and all the forces of public opinion which are not set down in the form of laws at all, but which are none the less real on that account, are evidence of the existence of a belief that all men have certain rights inherent in the very fact of their existence. The laws may be, and often are, partial in their conception and enforcement. They may favour some at the expense of others, but all the time men are feeling their way towards a system of law which eventually will protect with complete impartiality the interests of all members of the community. Every human act that the law regards as an offence is an aggression upon what are held to be the *rights* of men, or of the lower animals which are in their power and ought to be under their protection.

Every man is entitled to freedom of movement and freedom in the expression of his opinions. He is entitled to possess undisturbed such property as by honourable means he may be able to acquire. He is entitled to be guarded against violence and cruelty. But, above all, he is entitled to live, and to live the very best life that is possible to him by the exercise of his own mental and physical faculties. These are his rights, and grievous wrongs are inflicted upon him whenever they are violated. They are his rights simply because he is a living, sentient creature, and as such is entitled to be guarded from pain and suffering caused by his fellows. What are called the rights of property are simply the rights

of men who possess, or who ought to possess, property. A house has no rights, but a man has. And the supreme right of all is the right to life.

The worst crime of which a man is capable is the taking of the life of one of his fellow men, and it is punishable by the destruction of his own life. And so sacred is life held that there are those who deny the right of the community to destroy even the life of one who has himself taken the life of another. Whether or not a murderer should have his own life destroyed, is a controversial question, although the overwhelming majority of men regard it as just and necessary that he should. But there is, at any rate, entire unanimity that in every other case the right to life is absolute.

EQUAL RIGHTS

Seeing, then, that all men have an equal right to life, and that no man can live without land, it follows that all men have an equal right to the use of the land that is necessary to sustain their existence.

The premises of this syllogism are axiomatic, and the conclusion is irresistible.

The question now arises, Is our existing land system in harmony with this principle? And the most cursory examination of that system discloses the fact that it is completely antagonistic to it.

For practically the whole of the land of the United Kingdom is private property, the amount that is public property being so small that it does not affect the issue. And on all the land that is private property the private owner is master. No one else has any right there at all. Whether it shall be used or not is his business and no one else's. If he decides that it shall be used, as of course he generally does for the sake of the profit to

himself, it rests with him to determine the use to which it shall be put. And he alone has the power to determine who shall use it. In the vast majority of cases his veto is absolute. Only for special purposes can the land be taken out of his hands against his will. Happily there is a growing tendency to assert the community's right to acquire land for public reasons even where the owner objects, and to limit his powers over the land which he is still permitted to retain. But it still remains true that, except in rare and special cases, the owner of land has a free hand to let his land or withhold it, to allow some people on it and to keep others off it, and to charge the utmost rent or price that he can exact from those who are fortunate enough to secure his favour and win his permission.

Even in a country where the ownership of land is shared by a large number of small proprietors, there are very many of the people who are excluded from its possession. But, in our own country, those who are landless constitute the great majority of the people. And a landless man is in the position of simply existing on the sufferance of the minority who control practically the whole area. He is like a man who has been invited to a feast, but finds all the seats taken before he arrives. He must get the permission of one of the first comers before he can take his place at the table. It is open for every one of them to refuse. And if permission be granted it must be paid for.

It is, of course, true that many men who have no land experience no serious and obvious inconvenience on that account. If they have money, they can, as a rule, find a landlord somewhere who will gladly grant them the use of land, whether for residence, cultivation, or trading purposes. Even in such cases, whether the conditions

are fair or onerous, they always involve the payment of a price which, in its essence, is merely a price for permission to work and live. But the masses of the manual workers are in a very different position from those who, by reason of superior ability or chances, have command of the money that enables them to be more or less independent, and more or less able to secure land for one purpose or another. Judge Arthur O'Connor stated the position very clearly when he said :

" It is plain that if a man does not own any land he must live upon the land of another, and he must, directly or indirectly, pay to him that owns it a premium or rent for permission to be there. This is the condition of the vast majority of the people in England, and every man, woman, or child in the community, who has no share in property in land, is—whether conscious of it or not—as much a rent-producing machine for the benefit of the landowners as the cattle that browse in the fields."

The Highland crofters, who were evicted on a wholesale scale in the first half of the last century, were, in fact, no better off in the matter of recognised land rights than the sheep which were brought on as they were driven off, and which themselves afterwards had to give place to deer, when rich men were willing to pay higher rents for land as deer-forests than could be got for land as sheep-runs. And every landless man stands in the same relation to his Mother Earth as did the Scottish crofters, having no more *right* on it than the beasts of the field.

No one has ever stated the case against private property in land with more convincing and unanswerable logic than Herbert Spencer did in *Social Statics*. It is true that, nearly forty years after its publication, he withdrew the famous Chapter IX, on " The Right to the Use of the Earth," because he could not see how its

principles could be carried into effect without injustice to the landlords. From the view that, " however difficult it may be to embody that theory (of the equal right to the earth) in fact, equity sternly commands it to be done," he passed, in the timidity and caution of his old age, to the view that the difficulty was insuperable. Naturally he was greater as a philosopher than as a politician. He was a master in the statement of principles, but to the means by which they could be put into practice he had never given the same attention. And it is not too much to say that practical statesmen can surmount the difficulty which seemed to him insurmountable. The first thing, however, is to get first principles clearly understood, and no apology is therefore needed for giving here an extract from the chapter of *Social Statics* above referred to, bearing in mind that, even when withdrawing it from circulation, its author re-affirmed his opinion that private property in land was " ethically indefensible."

" Given a race of beings having like claims to pursue the objects of their desires—given a world adapted to the gratification of those desires—a world into which such beings are similarly born, and it unavoidably follows that they have equal rights to the use of this world. For, if each of them ' has freedom to do all that he wills provided he infringes not the equal freedom of any other,' then each of them is free to use the earth for the satisfaction of his wants, provided he allows all others the same liberty. And conversely, it is manifest that no one, or part of them, may use the earth in such a way as to prevent the rest from similarly using it ; seeing that to do this is to assume greater freedom than the rest, and consequently to break the law.

" Equity, therefore, does not permit property in land. For if one portion of the earth's surface may justly become

the possession of an individual, and may be held by him for his sole use and benefit, as a thing to which he has an exclusive right, then other portions of the earth's surface may be so held ; and our planet may thus lapse altogether into private hands. Observe now the dilemma to which this leads. Supposing the entire habitable globe to be so enclosed, it follows that, if the landowners have a valid right to its surface, all who are not landowners have no right at all to its surface. Hence, such can exist on the earth by sufferance only. They are all trespassers. Save by the permission of the lords of the soil, they can have no room for the soles of their feet. Nay, should the others think fit to deny them a resting-place, these landless men might equitably be expelled from the earth altogether. If, then, the assumption that land can be held as property involves that the whole globe may become the private domain of a part of its inhabitants; and if, by consequence, the rest of its inhabitants can then exercise their faculties—can then exist even—only by consent of the landowners, it is manifest that an exclusive possession of the soil necessitates an infringement of the law of equal freedom. For men who cannot ' live and move and have their being ' without the leave of others, cannot be equally free with those others."

At first sight an attack upon the system of private property in land appears to many to be only the advance guard of an attack upon private property in general. But such a view will not bear a moment's serious consideration. There are, as a matter of fact, no greater believers in the real rights of private property than those who deny that such rights can be maintained in the case of land. The only justification for private property, and it is all-sufficient, is that human effort can only be encouraged by the certainty of the reward of possession.

All wealth, other than land, is the result of human work, and every man who works is surely entitled to possess and enjoy the fruits of his work. The hunter has a right to the fruits of the chase, but not to the forest itself. The fisherman has a right to the fish he catches, but not to the sea or the river. The cultivator has a right to the crop which is due to his toil of sowing, tending, and reaping, but not to the earth upon which it grows. The miner is entitled to the labour value which he gives to the raw material of the substance of the earth, but not to the coal field, or the slate mountain, or the stocks of iron, gold, tin, lead, or copper which owe their existence to Nature and not to man. The builder is entitled to the house he brings into being, but not to the ground upon which he has placed it.

In the first place it is not *necessary* that the rights of private property should apply to anything more than the actual products of human labour. Ownership of the forest does not enable a hunter to be more successful in the chase. Ownership of the water of a river or sea does not increase the fisherman's " catch." Ownership of the land does not make two blades of grass to grow where one grew before. Ownership of a coal field does not increase the output of a mine. Ownership of building land does not increase the number or improve the quality of the houses erected upon it.

The " magic of ownership that turns sand into gold " is the magic of ownership of the improvements, not of the land itself. It is true that ownership of land carries with it the ownership of the improvements, and the second is hardly ever attainable, under present conditions, except when accompanied by the first. None the less it remains true, that the real incentive to industry, even in the case of an occupying owner, is the ownership of

the improvements which he makes, and not the ownership of the land which he does not and cannot make. An owner has the benefits of security and freedom that are denied to all others. Under a rational land system those benefits would attach to every tenancy, and would not be limited to ownerships as they are now.

In the second place it is not *just* that the rights of private property should apply to anything beyond the products of labour.

If land were available in unlimited quantity, or if all men needed an equal amount of land, and if it were all of equal value, there would be no harm in its private ownership. But not one of these conditions exists in actual fact. The supply of land is absolutely fixed, men need it in varying quantities, and its value ranges from nothing to much more than a million pounds for a single acre. Under these circumstances, even if it could be all fairly apportioned now (as it cannot), inequalities would speedily arise and accumulate.

Equality of opportunity is, in fact, impossible under any conceivable form of private property in land, and nearly all our social evils have their root in the inequality of opportunity which is inseparable from a system which deprives the bulk of the nation of their most elementary birthright.

A just land system would insure to all the inhabitants of our country:

1. A right to have access to land, for each according to his requirements.
2. Security of tenure for every occupier, with the right to reap the full reward of his work and enterprise.
3. Such advantages to be obtained by the payment of the true annual value of the land he occupies.

4. The rental values of all land to be paid into the public exchequer, and to be devoted to the common good by representative public bodies.

It is obvious that not one of these objects can be fully attained so long as land is regarded as private property, and, because they are all necessary for the welfare of the people, equity requires that our present land system must be amended and recast so that they may become universally and easily obtainable.

Reasoning on à priori grounds it might have been predicted that a system which condemns vast masses of people to landless dependence upon a favoured few would inevitably fail, sooner or later. Reasoning on similar grounds the failure of slavery might also have been foretold. But the case for the abolition of private property in land rests, as did the case for the abolition of private property in man, upon results.

Slavery and landlordism have this much in common, that they both depend upon a false system of property. The one is the buying and selling of man, the other is the buying and selling of Nature, which includes all that man needs for the maintenance of his life. Both involve, although in different degrees, the impoverishment of the workers, and the enrichment of those who live by their toil. Both are infringements of a man's right to possess himself and the products of his own work, and both are violations of human liberty.

All civilised peoples have seen the iniquity of chattel slavery, and have swept away the so-called "rights" of property upon which it rested. And the time will surely come when, with equal clearness, they will see the inequity of allowing Mother Earth to be bought and sold as a commodity.

CHAPTER II

A CLOUD OF WITNESSES

OUR land system is upon its trial. It stands at the bar of public opinion to be judged. It must be judged by what it has done. But before dealing with its effects in detail we may well hear the testimony of some of the writers and thinkers of the world as to its character.

At the outset it is important to observe, that there is complete unanimity of opinion among all legal authorities that there can be no *absolute* private ownership of land in this country. No man can truly call the land his *own* property. He is only a tenant under a superior lord.

Sir Edward Coke (*Institutes*) says: "All land or tenements in England, in the hands of subjects, are holden mediately or immediately of the King. For, in the law of England, we have not any subject's land that is not holden."

Sir William Blackstone (*Commentaries on the Laws of England*) says: "Accurately and strictly speaking, there is no foundation in nature or in natural law why a set of words on parchment should convey the dominion of land.

"Allodial (absolute) property no subject in England now has; it being a received and now undeniable principle in law that all lands in England are holden mediately or immediately of the King."

Mr. Serjeant Stephen (*New Commentaries on the Laws of*

England) says: "All lands owned by subjects in England are in the nature of fees, whether derived to them by descent from their ancestors or purchased for a valuable consideration; for they cannot come to any man by either of these ways, unless accompanied by those feudal incidents which attended upon the first feudatories to whom the lands were originally granted."

Joshua Williams (*Principles of the Law of Real Property*) says: "An English subject may enjoy the absolute ownership of goods, but not of land. The law does not recognise the *absolute* ownership of land, unless in the hands of the Crown; and the greatest interest in land, which a subject can have, is an estate in fee simple, that is to say, an estate inheritable by his blood relatives, collateral as well as lineal, according to the legal order of succession, and held feudally of some lord by some kind of service. For, by English law, the King is the supreme owner, or lord paramount, of every parcel of land in the realm; and all land is holden of some lord or other and either immediately or mediately of the King. . . . English law then recognises property in but not absolute ownership of land; the most absolute property in land that a subject can have is an estate.

"Now there is a great physical difference between lands and chattels or goods. Land is immovable and indestructible. You may dig holes in land and waste it, but you cannot remove the site of it. Goods, on the other hand, may always be removed or destroyed. Cows and sheep may be killed and eaten, furniture may be broken up and burnt. And this physical difference has great importance for the purposes of legal treatment. . . . Again land is permanent, it lasts beyond the life of man, the same land sustains successive generations of men."

Lord Chief Justice Coleridge (*Laws of Property*) says:

"All laws of property must stand upon the footing of general advantage; a country belongs to the inhabitants; in what proportions and by what rules the inhabitants are to own it must be settled by law; and the moment a fragment of the people set up rights inherent in themselves, and not founded on the public good, plain absurdities follow."

Sir Frederick Pollock (*English Land Laws*) says: "It is commonly supposed that land belongs to its owner in the same way as money or a watch; this is not the theory of English law since the Norman Conquest, nor has it been so in its full significance at any time. No absolute ownership of land is recognised by our law books, except in the Crown. All lands are supposed to be held immediately or mediately of the Crown, though no rent or services may be payable and no grant from the Crown on record."

Judge Longfield (*Cobden Club Essays*) says: "Property in land differs in its origin from any property produced by human labour; the product of labour naturally belongs to the labourer who produced it, but the same argument does not apply to land, which is not produced by human labour, but is a gift of the Creator of the world to mankind. Every argument used to give an ethical foundation for the exclusive right of private property in land has a latent fallacy."

Sheldon Amos (*The Science of Law*) says: "Land, as a subject of ownership, might indeed be treated as belonging to the class of things set apart for the service of the State, though in the earlier stages of the development of the community the quantity of land, and the limited number of uses to which it is capable of being turned, combined to keep this aspect of it out of sight. Yet, in fact, the relation of a State to its territory, which in

modern times enters into the essential conception of the State, implies that the land cannot be looked upon, even provisionally, as a true subject of permanent individual appropriation."

J. A. Froude (*History of England*) says: "Turning, then, to the tenure of land—for if we would understand the condition of the people, it is to this point that our attention must be first directed—we find that through the many complicated varieties of it there was one broad principle which bore equally upon every class, that the land of England must provide for the defence of England. The feudal system, though practically modified, was still the organising principle of the nation, and the owner of land was bound to military service at home whenever occasion required. Further, the land was to be so administered that the accustomed number of families supported by it should not be diminished, and that the State should suffer no injury from the carelessness of the owners. Land never was private property in that personal sense of property in which we speak of a thing as our own, with which we may do as we please; and in the administration of estates, as indeed in the administration of all property whatsoever, duty to the State was at all times supposed to override private interest or inclination. Even tradesmen who took advantage of the fluctuations of the market were rebuked by Parliament for their 'greedy and covetous minds,' as more regarding their own singular lucre and profit than the commonweal of the Realm; and although, in an altered world, neither industry nor enterprise will thrive except under stimulus of self-interest, we may admire the confidence which in another age expected every man to prefer the advantage of the community to his own.

"All land was held upon a strictly military principle.

It was the representative of authority, and the holder or the owner took rank in the army of the State according to his connection with it. It was first broadly divided among the great nobility holding immediately under the Crown, who, above and beyond the ownership of their private estates, were the Lords of the Fee throughout their Presidency, and possessed in right of it the services of knights and gentlemen who held their manors under them, and who followed their standard in war. Under the lords of manors, again, small freeholds and copyholds were held of various extent, often forty shillings and twenty shillings in value, tenanted by peasant occupiers, who thus, on their own land, lived as free Englishmen, maintaining by their own free labour themselves and their families. Thus there was a descending scale of owners, each of whom possessed his separate right, which the law guarded and none might violate ; yet no one of whom, again, was independent of an authority higher than himself ; and the entire body of the English free possessors of the soil was interpenetrated by a coherent organisation which connected them into a perpetually subsisting army of soldiers."

The central principle of the feudal system was that the entire country belonged to the head of the State, and every tenant paid rent to the State in the form of service. If the tenant failed in his obligations or rebelled against the King, the land was liable to forfeiture. This power of resuming possession is still in existence, although it is exercised in a very different way. Land is now taken out of private hands, only after Parliament has debated the matter, and approved the purpose and the manner of the resumption. Parliament has to be satisfied that the object is a good one. And, whereas formerly the land

was simply confiscated by the exercise of the King's prerogative, it is never taken now without the payment of compensation, usually unnecessarily generous, to the dispossessed holder of it.

The sovereignty of the State (nominally the Crown) is, therefore, much more than a legal fiction, and it is obvious that the dispossession of all landlords, and the consequent nationalisation of all land, could be equitably accomplished by means of the central principle of the feudal system itself which has never been abolished.

When we study the ancestry and antecedents of the present land system, we are brought face to face with the very interesting and significant fact, that it was developed out of an earlier system in which the private ownership of land, or anything resembling it, was altogether unknown.

It is unquestionable that, in the early days of human societies, so far as we have any record or evidence, the land was regarded as the possession of all the people. No one thought of appropriating it to himself. It was abundant, the population was sparse, and there was enough land for all to use whatever they needed.

The Indian village community, the Russian "Mir," the German "Mark," all alike held the land on which they lived as common property. Primitive tribes in our own time hold it in the same way. Under the Clan system in Scotland the land was the property of the Clan as a whole, not the property of the chief of the Clan, as it is regarded now. And, in all Mohammedan countries, the supreme owner of the land is the State, not the individual. An exhaustive study of this aspect of the land question has been made by writers like Émile de Laveleye, Professor Vinogradoff, Sir Henry Maine, and many others.

Émile de Laveleye, in his great standard work, *Primitive Property*, says: "It is only after a series of progres-

sive evolutions and at a comparatively recent period that individual ownership, as applied to land, is constituted.

"So long as man lived by the chase, by fishing, or gathering wild fruits, he never thought of appropriating the soil, and considered nothing as his own but what he had taken or contrived with his own hands. Under the pastoral system, the notion of property in the soil begins to spring up. It is, however, always limited to the portion of land which the herds of each tribe are accustomed to graze on, and frequent quarrels break out with regard to the limit of these pastures. The idea that a single individual could claim a part of the soil as exclusively his own never yet occurs to any one ; the conditions of the pastoral life are in direct opposition to it."

Professor Paul Vinogradoff, in *Growth of the Manor*, says : "The communalistic origin of property in land has been lately much contested. But, in so far as agriculture has historically developed out of pastoral husbandry, there seems to be hardly anything more certain, in the domain of archaic law, than the theory that the soil was originally owned by groups and not by individuals, and that its individual appropriation is the result of a slow process of development."

Sir Henry Maine, in *Village Communities*, says : "The facts collected suggest one conclusion which may be now considered as almost proved to demonstration. Property in Land, as we understand it, that is, several ownership, ownership by individuals or by groups not larger than families, is a more modern institution than joint property or co-ownership, that is, ownership in common by large groups of men originally kinsmen, and still, wherever they are found (and they are still found over a great part of the world), believing or assuming themselves to be in some sense of kin to one another.

Gradually, and probably under the influence of a great variety of causes, the institution familiar to us, individual property in land, has arisen from the dissolution of the ancient co-ownership."

Olive Schreiner, in *Stray Thoughts on South Africa*, says: "Each Bantu tribe holds its land in common, re-appointing it as the increase or diminution of its numbers may require. The doctrine that land can become the private property of one is a doctrine morally repugnant to the Bantu. The idea which is to-day beginning to haunt Europe, that, as the one possible salve of our social wounds and diseases, it might be well if the land should become again the property of the nation at large, is no ideal to the Bantu, but a realistic actuality. He finds it difficult, if not impossible, to reconcile his sense of justice with any other form of tenure."

Walter Bagehot, in *Economic Studies*, says: "As is now generally known, the earliest form of landholding was, not individual holding, but tribal owning. In the old contracts of Englishmen with savages nothing was commoner than for the King or chief to sell tracts of land, and the buyers could not comprehend that, according to native notions, he had no right to do so, that he could not make a title to it, and that according to these notions there was no one who could. Englishmen, in all land dealings, looked for some single owner, or at any rate some small number of owners, who had an exceptional right over particular pieces of land; they could not conceive the supposed ownership of a tribe, as in New Zealand, or of a village in India, over large tracts. Yet this joint-stock principle is that which has been by far the commonest in the world, and that which the world began with."

William Paley, in *Principles of Moral and Political*

Philosophy, says: "Land, which is now so important a part of property, which alone our laws call real property, and regard upon all occasions with such peculiar attention, was probably not made property in any country, till long after the institution of many other forms of property, that is, till the country became populous, and tillage began to be thought of.

"There is a difficulty in explaining the origin of property in land consistently with the law of nature; for the land was once, no doubt, common; and the question is, how any particular part of it could justly be taken out of the common, and so appropriated to the first owner as to give him a better right to it than others, and what is more, a right to exclude all others from it."

POLITICAL ECONOMISTS

The idea that land is only one out of several kinds of property and is not materially different from them, is not supported by political economists. Our greatest living British economist, Professor Alfred Marshall, in his *Principles of Economics*, says: "When we have inquired what it is that marks off land from those material things which we regard as products of the land, we shall find that the fundamental attribute of land is its extension. The right to use a piece of land gives command over a certain space—a certain part of the earth's surface. The area of the earth is fixed: the geometric relations in which any particular part of it stands to other parts are fixed. Man has no control over them; they are wholly unaffected by demand: they have no cost of production, there is no supply price at which they can be produced.

"The use of a certain area of the earth's surface is a primary condition of anything that man can do. It

gives him room for his own actions, with the enjoyment of the heat and the light, the air and the rain, which nature assigns to that area. It determines his distance from, and in a great measure his relations to, other persons. This property of 'land' it is, which, though as yet insufficient prominence has been given to it, is the ultimate cause of the distinction which all writers on economics are compelled to make between land and other things. It is the foundation of much that is most interesting and most difficult in economic science."

Professor J. E. Cairnes, in his *Political Economy*, sums up the position in these words: "Sustained by some of the greatest names, I will say by every man of the first rank in political economy, from Turgot and Adam Smith to Mill, I hold that the land of a country presents conditions which separate it economically from the great mass of the other objects of wealth."

And the unique nature of land is thus stated by John Stuart Mill in *Principles of Political Economy*: "The essential principle of property being to assure to persons what they have produced by their own labour and accumulated by their abstinence, this principle cannot apply to what is not the produce of labour, the raw material of the earth. . . . No man made the land; it is the original inheritance of the whole species. . . . The land of every country belongs to the people of that country."

In his *Essay on Coleridge*, Mill also says: "By the early institutions of Europe, property in land was a public function, created for certain public purposes, and held under condition of their fulfilment; and as such, we predict, under the modifications suitable to modern society, it will again come to be considered. In this age, when everything is called in question, and when the foundation of private property itself needs to be argu-

mentatively maintained against plausible and persuasive sophisms, one may easily see the danger of mixing up what is not tenable with what is, and the impossibility of maintaining what is an absolute right in the individual to an unrestricted control, a *jus utendi et abutendi* over an unlimited quantity of the mere raw material of the globe, to which every other person could originally make out as good a natural title as himself. It will certainly not be much longer tolerated that agriculture should be carried on (as Coleridge expresses it) on the same principles as those of trade; that a gentleman should regard his estate as a merchant his cargo, or a shopkeeper his stock; that he should be allowed to deal with it as if it only existed to yield rent to him, not food to the numbers whose hands till it; and should have a right, and a right possessing all the sacredness of property, to turn them out by hundreds and make them perish on the high road, as has been done before now by Irish landlords. We believe that it will soon be thought that a mode of property in land which has brought things to this pass has existed long enough."

J. B. Say, in his *Économie Politique*, says: "The earth, as we have already seen, is not the only agent of nature which has a productive power; but it is the only one, or nearly so, that one set of men take to themselves, to the exclusion of others; and of which consequently they can appropriate the benefits. The waters of rivers, and of the sea, by the power which they have of giving movement to our machines, carrying our boats, nourishing our fish, have also a productive power; the wind which turns our mills, and even the heat of the sun, work for us; but happily no one has yet been able to say, 'The wind and the sun are mine, and the service which they render must be paid for.'"

Adam Smith, in his *Wealth of Nations*, shows that the rent of land is simply the price paid by one man to another for a licence to use the earth that once was common to all. "The wood of the forest, the grass of the field, and all the natural fruits of the earth, which, when land was in common, cost the labourer only the trouble of gathering them, come, even to him, to have an additional price fixed upon them, when land has become private property. He must then pay for the licence to gather them, and must give up to his landlord a portion of what his labour either collects or produces. This portion, or what comes to the same thing, the price of this portion, constitutes the rent of land.

"The landlord sometimes demands rent for what is altogether incapable of human improvement. Kelp is a species of seaweed, which, when burnt, yields an alkaline salt, useful for making glass, soap, and for several other purposes. It grows in several parts of Great Britain, particularly in Scotland, upon such rocks only as lie within the high-water mark, which are twice every day covered by the sea, and of which the produce, therefore, was never augmented by human industry. The landlord, however, whose estate is bounded by a kelp shore of this kind, demands a rent for it as much as for his corn fields.

"The sea in the neighbourhood of the islands of Shetland is more than commonly abundant in fish, which make a great part of the subsistence of the inhabitants. But, in order to profit by the produce of the water, they must have a habitation upon the neighbouring land. The rent of the landlord is in proportion, not to what he can make by the land, but to what he can make both by the land and the water. It is partly paid in sea-fish.

"The rent of land, therefore, considered as the price

paid for the use of land, is naturally a monopoly price. It is not at all proportional to what the landlord may have laid out upon the improvement of the land, or to what he can afford to take; but to what the farmer can afford to give."

Ricardo, in his *Principles of Political Economy*, says: "Rent is that portion of the produce of the earth which is paid to the landlord for the use of the original and indestructible powers of the soil."

OTHER TESTIMONIES

Ralph Waldo Emerson, in his essay on *Man, The Conservative*, says: "The youth, of course, is an innovator by the fact of his birth. There he stands, newly born on the planet, a universal beggar, with all the reason of things, one would say, on his side. In his first consideration how to feed, clothe, and warm himself, he is met by warnings on every hand that this thing and that thing have owners, and that he must go elsewhere. Then he says, 'If I am born into the earth, where is my part? Have the goodness, gentlemen of this world, to show me my wood-lot, where I may fell my woods, my field where to plant my corn, my pleasant ground where to build my cabin.'

"'Touch any wood, or field, or house-lot, on your peril,' cry all the gentlemen of this world, 'but you may come and work in ours, for us, and we will give you a piece of bread.'

"I find this vast network, which you call property, extended over the whole planet. I cannot occupy the bleakest crag of the White Hills of the Alleghany Range but some man or corporation steps up to me to show me that it is his. Now, although I am very peaceable, and on my private account could well enough die, since it

appears there was some mistake in my creation, and that I have been missent to this earth, where all the seats were already taken—yet I feel called upon in behalf of rational nature, which I represent, to declare to you my opinion, that, if the earth is yours, so also is it mine. All your aggregate existences are less to me than is my own; as I am born to the earth, so the earth is given to me, what I want of it to till and to plant; nor could I, without pusillanimity, omit to claim so much. I must not only have a name to live, I must live. My genius leads me to build a different manner of life from any of yours. I cannot then spare you the whole world. I love you better. I must tell you the truth practically; and take that which you call yours. It is God's world and mine; yours as much as you want, mine as much as I want. Besides, I know your ways, I know the symptoms of the disease. To the end of your power you will serve this lie which cheats you. Your want is a gulf which the possession of the broad earth would not fill. Yonder sun in heaven you would pluck down and prevent shining on the universe, and make him a property and privacy if you could; and the moon and the north star you would quickly have occasion for in your closet and bed-chamber. What you do not want for use you crave for ornament, and what your convenience could spare your pride cannot."

Thomas Carlyle, in *Past and Present*, says: "From much loud controversy and corn-law debating there arises, loud, though inarticulate, once more in these years, this very question among others, who made the land of England? Who made it, this respectable English land, wheat-growing, metalliferous, carboniferous, which will let readily hand over hand for seventy millions and upwards, as it here lies: who did make it? 'We,'

answer the much-*consuming* Aristocracy ; ' We,' as they ride in, moist with the sweat of Melton Mowbray. ' It is we that made it, or are heirs, assigns, and representatives of those who did.' My brothers, You ? Everlasting honour to you, then ; ye are as gods that can create soil. Soil-creating gods there is no withstanding. . . . Infatuated mortals, into what questions are you driving every thinking man in England ?

" Properly speaking the land belongs to these two : To the Almighty God and to all His Children of Men that have ever worked well on it. No generation of men can or could, with never such solemnity and effort, sell Land on any other principle ; it is not the property of any generation, we say, but that of all the past generations that have worked on it, and of all the future ones that shall work on it.

" Again, we hear it said, the soil of England, or of any country, is properly worth nothing, except the ' labour bestowed upon it.' This, speaking in the language of East-cheap, is not correct. The rudest space of country—equal in extent to England, could a whole English nation, with all their habitudes, arrangements, skills, with whatsoever they do carry within the skins of them, and cannot be stript of, suddenly take wing and alight on it—would be worth a very considerable thing. Swiftly, within year and day, this English nation, with its multiplex talents of ploughing, spinning, hammering, mining, roadmaking, and trafficking, would bring a handsome value out of such a space of country. On the other hand, fancy what an English nation, ' once on the wing,' could have done with itself had there been simply no soil, not even an inarable one, to alight on ? Vain all its talents for ploughing, hammering, and whatever else ; there is no earth-room for this nation with its talents ; this nation will have to

keep hovering on the wing, dolefully shrieking to and fro; and perish piecemeal; burying itself, down to the last soul of it, in the waste unfirmamented seas. Ah, yes, soil, with or without ploughing, is the gift of God. The last stroke of labour bestowed on it is not the making of its value, but only the increasing thereof."

John Ruskin, in *Time and Tide*, says: "Next, of wholly unjustifiable rents. These are for things which are not, and which it is criminal to consider as, personal or changeable property. Bodies of men, land, water, and air, are the principal of these things. . . . Bodies of men, or women, then (and much more, as I said before, their souls) must not be bought or sold. Neither must land, nor water, nor air, these being the necessary sustenance of men's bodies and souls."

And again, in *Munera Pulveris*: "These principles the professor (Fawcett) goes on contentedly to investigate, never appearing to contemplate for an instant the possibility of the first principle in the whole business—the maintenance, by force, of the possession of land obtained by force—being ever called in question by any human mind. It is, nevertheless, the nearest task of our day to discover how far original theft may be justly encountered by reactionary theft, or whether reactionary theft be indeed theft at all; and further, what, excluding original or corrective theft, are the just conditions of the possession of land."

Leo Tolstoy, in *The Great Iniquity*, says: "The nearest and most obvious evil, private property in land. . . . The truth that land cannot be an object of property has become so elucidated by the very life of contemporary mankind, that, in order to continue to retain a way of life in which private landed property is recognised, there is only one means—not to think of it, to ignore the truth,

and to occupy oneself with other absorbing business. So, indeed, do men of our time. . . . If Russian political workers do speak about land abuse, which they for some reason call the agrarian question—possibly thinking that this silly word will conceal the substance of the matter—they speak of it not in the sense that private landed property is an evil which should be abolished, but in the sense that it is necessary in some way or other, by various patchings and palliatives, to plaster up, hush up, and pass over this essential, ancient, and cruel, this obvious and crying injustice, which is awaiting its turn for abolition not only in Russia but in the whole world.

"In Russia, where a hundred million of the masses unceasingly suffer from the seizure of the land by private owners, and unceasingly cry out about it, the position of these people, who are vainly searching everywhere, but where it really is, for the means of improving the condition of the people, reminds one exactly of that which takes place on the stage, when all the spectators see perfectly well the man who has hidden himself, and the actors themselves ought to see him but pretend they do not, intentionally distracting each other's attention and seeing everything except that which is necessary for them to see, but which they do not wish to see."

And, again, the great Russian seer says: "The evil and injustice of private property in land have been pointed out a thousand years ago by the prophets and sages of old. Later progressive thinkers of Europe have been often and oftener pointing it out. With special clearness did the workers of the French Revolution do so. In latter days, owing to the increase of the population, and the seizing by the rich of a great quantity of previously free land, also owing to general enlightenment and the spread of humanitarianism, this injustice

has become so obvious, that not only the progressive, but even the most average, people cannot help seeing and feeling it. But men, especially those who profit by the advantages of landed property—the owners themselves, as well as those whose interests are connected with this institution—are so accustomed to this order of things, they have for so long profited by it, have so much depended upon it, that often they themselves do not see its injustice, and they use all possible means to conceal from themselves and others the truth which is disclosing itself more and more clearly, and to crush, extinguish, and distort it, or, if these do not succeed, to hush it up."

St. Gregory the Great, the bishop who gave all his great possessions to the poor, and founded the Christian religion in this country 1,300 years ago, gave utterance to the following noble sentiments, which are worthy of lasting remembrance: "This is the way in which we must preach to the people who keep what they have got and help not others. We must give them clearly to understand that the land has been given by God to be the common property of all men, and that its fruits ought to be used for the benefit of all, and that therefore it is ridiculous for them to think that they are not robbing others, and plundering, when they are simply retaining what they have got. I should say that they are committing just so many murders as they have rations locked up in their storehouses."

Ernest Renan, in his *Life of Jesus*, says: "In our societies, established upon a very rigorous idea of property, the position of the poor is horrible; they have literally no place under the sun. There are no flowers, no grass, no shade, except for him who possesses the earth. In the East, these are gifts of God, which belong

to no one. The proprietor has but a slender privilege: nature is the patrimony of all."

Alfred Russel Wallace, the great naturalist, in *The Why and How of Land Nationalisation*, says: "Man cannot live without access to the natural products which are essential to life—to air, to water, to food, to clothing, to fire. If the means of getting these are monopolised by some, then the rest are denied their most elementary right—the right to support themselves by their own labour. But neither pure air, nor water, neither food, clothing, nor fire, can be obtained without land. A free use of land is, therefore, the absolute first condition of freedom to live; and it follows, that the monopoly of land by some must be wrong, because it necessarily implies the right of some to prevent others from obtaining the necessaries of life."

Judge O'Connor, in his Special Report, as a member of the Royal Commission on Taxation, says: "Now between land and every other form of property there is an obvious, abiding, and essential difference. Every other form of property is transitory, wasting, and destructible, the temporary production of human industry, obtained by labour out of the material which the land supplies; but the land is not of human production; and as no man made it, so no man can destroy it; 'no man, however feloniously inclined, can run away with an acre of it.' Man's very body is built up of its substance; he is taken from it and will return to it; while he lives he must live and labour upon its surface. Equity and right reason would appear to suggest that the product of human industry should be the absolute property of the person or persons who created it, whether the creation be of food, or habitation, or instrument, or any other thing. But with the land it is different. Equity and

right reason here suggest that, as access to the face of the globe is for mankind a necessary condition of existence, and yet land is incapable of creation by human industry, the same rule of absolute and exclusive ownership cannot apply. On this point the law of England is in accord with common sense; and according to that law, land is not the subject of absolute property. 'No man is in law the absolute owner of lands. He can only hold an estate in them,' and that estate he holds under the Crown as representative of the community.

"It is, then, in accordance at once with equity, reason, and the law, to say that England belongs to the English, that the land of England, with all that is beneath its surface, and all that it produces by the unassisted forces of nature, belongs to the people of England. Whatever may at any time be the authorised occupation of its surface, or any part of it, however turned to account—well or ill, or not at all—however its resources, in whatever hands, may be developed or neglected, it is true to say collectively that the land of England belongs to the people of England.

"The facts of the existing situation, however (it is not necessary to consider here how they may have been brought about), furnish an extraordinary contrast with this natural and equitable view. The 32,000,000 of acres of land which stretch from Berwick-on-Tweed to Land's End, and which bear upon their bosom a population of 30,000,000 of human beings, are divided between a comparatively small number of freeholders, collectively holding only a tiny fraction of the inhabitants. These freeholders part with the occupation right of the different portions of the land only on terms, terms which, from generation to generation, and from decade to decade are continually advancing, whilst the overwhelming mass

of the community, who are born, live, and labour on it, and are buried in it, can exist on it only on condition of payment to the freeholders. They could live in any other country on the same or perhaps better terms."

The cumulative effect of the foregoing opinions of some of the foremost writers and thinkers, although not in themselves conclusive, can scarcely fail to show that there is a very strong prima facie case against the landlord system. And, when the facts are carefully studied, they will be found to prove to demonstration the inequity and impolicy of any longer allowing land to be bought and sold in the market as if it were an ordinary commodity made with human hands.

CHAPTER III

A LAND OF GREAT ESTATES

It is the widespread domains that have been the ruin of Italy, and soon will be that of the provinces as well.

PLINY, *Natural History*, Book XVIII., Chap. VII.

IN scarcely any country in the world is the possession of land so close a monopoly as it is in the British Isles. In France and Germany the owners of land are to be numbered by the million, in Holland and Belgium the cultivation of the soil by small owners is the normal feature of agriculture, and, in Russia, the *Mir* system makes land accessible to the bulk of the peasants in common ownership. In all the colonies which we have founded across the seas, landed property has been diffused either by free grants or by cheap sales. And, even among the most savage tribes, we find that the poorest native has more right to the soil than is enjoyed by the average farm servant or the town labourer in our own country. The divorce of our common people from the soil of their native land is, in fact, one of the saddest features of our civilisation, and it is the root cause of most of the serious problems which confront our statesmen.

Yet, in spite of the facts which are obvious to every observer, there are those who, in their zeal in the defence of private property in land, boldly deny that there is a monopoly of land at all. Fortunately, although there is only a single authoritative record of the actual facts, and that record is incomplete, and nearly forty years old,

yet enough is known to prove in the most emphatic and convincing manner that the widespread belief, which is based upon everyday observation open to all, is also confirmed by the result of a Government inquiry.

The landlessness of the British people has been the theme of reformers and the reproach of the nation for many generations. For centuries the country was governed entirely by the landlord class. None but landlords could exercise the franchise, and none but landlords could enter Parliament. The landed interest was all-powerful. It made the laws and it administered them.

In the Census Returns of 1861 only 30,766 persons described themselves as landed proprietors, and this fact was made use of by men like John Bright and John Stuart Mill, in their attacks upon the land monopoly. So Lord Derby, affirming that landowners were probably quite ten times as numerous as they appeared to be by the Census of 1861, called for a Government Return, which was accordingly collected by the Local Government Board and published in 1874. This is what is known as the New Domesday Book, to distinguish it from the original Domesday Book, which was completed by the order of William the Conqueror in 1087.

According to this Return there were :

In England .	921,316	Landholders
In Wales . .	51,520	,,
In Scotland .	132,131	,,
In Ireland . .	68,757	,,
Total . .	1,173,724	,,

Naturally the result of the inquiry was a surprise to every one, to critics and defenders alike. No one ex-

pected the figures to be so large, and they were naturally subjected to a close analysis, and were the occasion of much controversy. And, as they are still relied upon by the apologists for the landlord system, in their anxiety to prove that all is well, it is desirable that they should be carefully examined and considered.

Even if the figures were accurate, it is obvious that they do not disprove the main contention of the reformers, which was that the great mass of the people was landless.

But, as a matter of fact, the figures were very far from being accurate, as the following will show. For instance, no property was included in the Return except that which was assessed to rates. At that time all woods, except saleable underwoods, were exempt. All waste and common lands were exempt. All land withheld for speculative purposes was exempt from rates, as it remains, to our shame, to this very day. And London, which is noted for its great estates, and where the great majority of the people are mere tenants, was excluded. Besides inaccuracies by omission, the number of landholders was exaggerated in the following ways.

Every leaseholder who held a lease of more than ninety-nine years, and every copyholder, was reckoned as a landowner, in spite of the fact that their interest in land falls far short of ownership. Every man who held land in different counties was reckoned as a separate owner in each county. Thus 28 Dukes owned 158 separate estates amounting to 3,991,811 acres, and they were set down as 158 owners. The Marquises numbered 33, but their total acreage of 1,567,227 was held in 121 different estates, and they were counted for each estate. Earls were 194 in number and they owned 5,862,118 acres in 634 estates, so the 194 was swollen to 634 in the record. Viscounts and Barons numbered 270. And, as their

acreage of 3,780,009 was in 680 different county estates, they appeared as 680 in the Return. Thus the Duke of Buccleuch counted as 14 instead of 1, 4 other Dukes counted 11 each, and every one of the Dukes counted for an average of 5 instead of 1. Similarly every Railway or Canal Company counted 1 for each county in which its property was situated.

Again, every clergyman of the Church of England was entered as an owner of the glebe-land in his parish, and this added nearly 10,000 to the total. In Bucks there were thus 235 reverend owners, in Herts 159, in Lancashire 186, and so on.

In Northumberland 10,036 persons were returned as owners of less than one acre, but their total acreage was only 1,424 acres (the area of the county is 1,190,043 acres), or one-seventh of an acre each. In Nottinghamshire 9,891 owners of less than an acre each possessed no more than 1,266 acres, or one-eighth of an acre each.

In Northumberland three-fifths of the county were in the hands of 44 people, and nearly half was in the hands of 26 people. The 10,000 small owners held one-seventh of an *acre* each, but the Duke of Northumberland held one-seventh of the whole county, besides land in other counties.

In Nottinghamshire two-fifths of the land were held by 15 people, and one-quarter of the county was held by 5 people. If all the counties were similar to Northumberland and Nottingham one-half of the entire country would be owned by no more than 1,000 people.

Take, again, the case of one of the Parliamentary Divisions of Dorset. North Dorset comprises 166,200 acres, and is divided into 92 parishes. Lord Eversley has shown that 60 of these parishes belong substantially each to a single owner, or are divided between two ad-

joining owners. In 23 parishes more than three-quarters of each of them belong to one great owner. In 7 parishes a great portion of each belongs to only two owners, and there are only 2 parishes where the land is held by many people. Four-fifths of the whole land in the Division belong to only 30 people. One man owns substantially the whole of 3 parishes, and the half of 2 others. Four others own the whole of the 2 or 3 parishes, and the greater part of 2 or 3 more. With the rare exception of a house here and there, the villages belong to the great owner of the district, equally with all the land. In the face of facts like these, the contention that there is no land monopoly in this country is the idlest and most transparent pretence.

Looking further at the figures given by the New Domesday Book, it will be seen that 852,438, out of the total of 1,173,724 people returned as landholders, possess no more than 188,413 acres between them.

The Duke of Sutherland's estates alone are more than seven times as extensive as the total area held by 852,438 of his fellow-landlords. Each of the latter possesses an average of one-fifth of an acre, while the Duke possesses 1,358,000 acres. Then there are 252,725 people who hold 4,910,723 acres, or an average of 19 acres each. Thus there are 1,105,163 owners who have only 5,099,136 acres between them. Besides these there are 51,090 owners of 15,133,057 acres, or an average of 296 acres each. And the great bulk of the private land that remains, nearly 55,000,000 acres, belongs to no more than 10,888 people.

Mr. George Brodrick has shown that a landed aristocracy, consisting of about 2,250 persons, own together nearly half the enclosed area of England and Wales, and that there are no more than 150,000 owners of one

acre or more, or less than one one-hundred-and-seventieth part of the population. And Mr. Joseph Kay proved that 710 persons own more than a fourth part of the enclosed land in England and Wales, and nearly one-sixth of it is owned by 280 persons.

The extent to which the land is monopolised by the House of Lords may be thus tabulated, and it fully explains the permanently reactionary character of that assembly, and its consistent one-sidedness in maintaining the unfair privileges of its own order in particular and of the landed interest as a whole.

		Acres.
28	Dukes possess . . .	3,991,811
33	Marquises possess . .	1,567,227
194	Earls possess . . .	5,862,118
270	Viscounts and Barons possess.	3,780,009
525	Peers own . . .	15,201,165

In the forty years which have elapsed since the New Domesday Book was published, some changes have of course taken place which have increased the number of landholders, but, except in Ireland, they have chiefly resulted in an increase in the number of those who have been enabled through Building Societies to purchase freehold houses and the small plots of land upon which they are built. Land speculators have also been busy in various places buying land wholesale at farm rates, and selling it retail at building rates. And in some cases, which are not numerous, where large owners have lately sold their outlying lands, the tenant farmers, by paying a part of the money as a deposit and by borrowing the balance on mortgage, have become freeholders. In

Ireland the State has come to the rescue of the farmers, and, by buying out the big landlords, has put the farmers in the way of becoming freeholders when they have paid the last instalment of principal and interest, which, however, may not be until from 49 to 78 years after the payment of the first. But, even in Ireland, the labourers and the townsmen have no more interest of ownership in the land of their birth than they had forty years ago, and, taking the British Isles as a whole, and bearing in mind the enormous increase in the population which has taken place, it is almost certainly the fact that the *proportion* of landless men to the whole population is greater to-day, not less, than it was in the seventies.

It is as true to-day as it was then that ours is a country of great estates, and that the mass of the people are without any part or lot in the land which by moral right should be the property of all.

It was not always so. The Teutonic settlers in Britain brought with them the system of the Mark, or village community, which held land under collective ownership. It has generally been supposed that at the time of the Norman Conquest the whole of the land was confiscated. In one sense it was, and every estate was in future held, mediately or immediately, from the King. But, although nearly all of it was taken from its former possessors and given to the Conqueror's own countrymen, this was not the invariable rule. And to this day there remain traces of the German Mark system of open fields over which the people had common rights. The German writer, Nasse, quotes William Marshall's *Elementary and Practical Treatise on Landed Property* (London, 1804) as follows: "In almost all parts of the country, in the midland and eastern counties particularly, but also in the west—

in Wiltshire, for example—in the south, as in Surrey, in the north, as in Yorkshire, there are extensive open and cultivated fields. Out of 316 parishes in Northamptonshire 89 are in this condition; more than 100 in Oxfordshire; about 50,000 acres in Warwickshire; in Berkshire half the county; more than half of Wiltshire; in Huntingdonshire, out of a total area of 240,000 acres, 130,000 are commonable meadows, commons, and common fields." These were not all the wastes of ancient manors vested in their several lords, but were often the remnant of the lands of the village communities. For centuries they survived until the Inclosure Acts, which Parliaments of landlords were ever ready to pass for the aggrandisement of their class, between 1709 and 1845.

The common fields were almost invariably divided into three long strips, separated by green baulks of turf, and in one case the common fields were so extensive that the pasturage on these dividing strips was no less than 80 acres. "Speaking for myself personally," says Sir Henry Maine, in his great work on *Village Communities*, "I have been greatly surprised at the number of instances of abnormal proprietary rights, necessarily implying the former existence of collective ownership and joint cultivation, which comparative brief inquiry has brought to my notice."

But the feudal system, which was introduced at the Norman Conquest, was the starting-point of our modern land system. Although very few of our present territorial families can claim direct descent from ancestors who "came over with the Conqueror," their estates are the undoubted outcome of the grants then made. In the course of centuries of warfare the old families were generally obliterated, but new ones arose upon their ashes and entered into possession of their lost or forfeited lands.

"The Barons and Knights," says Augustin Thierry in his *Conquest of England by the Normans*, "had extensive domains, castles, town lands, and even entire towns allotted to them; the meaner vassals had smaller portions; some took their pay in money; others had stipulated for some Saxon woman; and, according to the Norman Chronicle, William caused them to take in marriage noble ladies, the heiresses of great possessions, whose husbands had been slain in the battle. One alone, amongst all the warriors in the Conqueror's train, claimed neither lands, nor gold, nor women, and would accept no part of the spoils of the vanquished. He was named Guilbert, son of Richard. He said that he had accompanied his lord into England because such was his duty; that he was not to be tempted by stolen property, but would return into Normandy to live on his own patrimony, which, though small, was lawful; and that, content with his own lands, he would take nothing away from others." There was only one Guilbert in the whole host.

"Ignoble squires, impure vagabonds," says the old annalist, "disposed at their pleasure of young women of the best families, leaving them to weep and wish for death. Those despicable men, yielding to unbridled licentiousness, were themselves astonished at their villainy; they became mad with pride, and wondered at finding themselves so powerful, and at having retainers of greater wealth than their fathers ever possessed. Whatever they had the will, they believed they had the right to do. They shed blood in wantonness, they snatched the last morsel of bread from the unfortunate, they seized everything—money, goods, and land." Such were the predecessors in title, if not the ancestors, of our English landed aristocracy, and to such men was granted the land which has been held in great estates ever since.

"The man who passed the sea," says Thierry, "with the quilted hassock and black wooden bow of the foot-soldier now appeared to the astonished eyes of the new recruits who had come after him, mounted on a war-horse and bearing the military baldrick. He who had arrived as a poor knight soon lifted his banner (as it was then expressed) and commanded a company, whose rallying cry was his own name. The herdsmen of Normandy and the weavers of Flanders, with a little courage and good fortune, soon became in England men of consequence—illustrious barons; and their names, ignoble and obscure on one shore of the straits, became noble and glorious on the other."

By the feudal law all land was King's land, as in theory it is even to-day. Every man had a chief, every acre its lord, and every lord was dependent on the King's favour. The chief work of the Government was fighting, and the rent of the King's land was paid in the shape of fighting men. But, besides the duty of following their lord's banner when he went to war, there was the duty of service or goods. The lord could command the labour of his vassals or tenants in his fields. Their pigs and their poultry, their cattle and their crop went to his table, save so much as was necessary to support their own poor and dependent lives.

The feudal obligations of the King's tenants were abolished soon after the Restoration, but their own feudal privileges are still maintained, although necessarily in a modified form. Excise duties payable by the whole people took the place of the last remnant of the feudal duties which fell upon the landlords alone, and, as the excise duties were not sufficient, the landlords soon after agreed to a tax of 4*s.* in the £ on the annual value of land and other property. It is a standing disgrace to the land-

lords, who have until recent times always been overwhelmingly predominant in legislation, that the land was never re-valued for the purpose of the land tax, while the growing burden of government has fallen in an ever-increasing proportion upon everything rather than upon that form of property in which they are themselves particularly interested. No worse instance of unfair class legislation is to be found in the annals of this or any other country.

The people are forced to pay an enormous tribute to the lords of the soil. But by what right do the landlords claim it? Moral right they have none to the exclusive possession of natural resources and opportunities. But legal right they have, and it is well to examine its nature. It always rests upon some grant or supposed grant of some King or Queen in the distant past. It is as in the case of a recognised public right of way. The right may have been established by proof of long user, unchallenged by the private owner. At some time the owner could have prevented the public from passing over his land, but, for some reason or other, he never did so. And the time comes when the right of the private owner has ceased by not being asserted. But the theory of the law is that at some time the path must have been definitely dedicated to the public by the owner, and the modern practice of the Courts is to reject the evidence even of the oldest inhabitants as to long user, in the case of settled estates, on the ground that there was no one in a position to dedicate the land for that or any other purpose. In the same way the legal presumption is that even where no royal grant can be proved to have been made such a grant must have been made at one time. And so the unchallenged and undisturbed exercise of the usual rights of landownership

for a given term of years establishes a sound title in the eye of the law, no parchment proof being necessary.

The real character of titles to land must always be borne in mind. All other property is the result of human effort in one form or another, and the present possessor is presumed to have obtained it honourably, by gift, purchase, or inheritance, from the one whose labour called it into existence in the first place. The original title was acquired by work, and all subsequent changes of ownership are presumed, in the absence of evidence to the contrary, to have transferred that good title unimpaired by lapse of time. But land was here before man himself was, and the first man who called it his own property set up a claim which could have no warrant, and which no lapse of time can ever make good. And, as a buyer can never acquire a better title than the vendor has to give, the last buyer or inheritor of land has really no better title to its exclusive and monopolistic possession than was possessed by its first so-called "owner." The claim of the first comer was destroyed by conquest, the Conqueror treated the land as his own, and his grantees treated it as theirs, subject only to obligations which they have long since repudiated. And many honest men have given hard cash for it in our own day. But, while honest acquisition does undoubtedly confer a just claim to be honestly dealt with when the supreme right of the community is asserted, it can never confer a just claim of absolute ownership in the land itself. And, just as in the case of the denial of public rights of way over settled estates on the ground that there was no one who had authority to make the necessary allotment or dedication, so we are led to the denial of absolute private ownership of the bounty of nature, on the ground that there never was any authority which

had the *moral* right to create it or to allow it in the first instance.

In fact the land is of such a nature, as the first necessary of life, and strictly limited in amount, that it can never be treated as even the absolute property of a nation, still less of an individual. Each generation of men has only a life interest in it, and has no right, as by the institution of private ownership in it, to condemn its posterity to landlessness. By a majority it may, of course, decide to divide the land as it will, but the possession of a power is very different from the possession of a right. By the acts of democratic governments in dealing with the land of the United States, Canada, Australia, and New Zealand, future generations have been disinherited through the shortsighted alienation of what ought to have been religiously regarded as the inalienable patrimony of the entire nation.

Exactly the same thing was done in our own country by the exercise of the feudal prerogatives of irresponsible sovereigns. We are suffering to-day from the inevitable consequences of that injustice, and, although in the vast new and thinly peopled territories of America and Australia the consequences are not yet so serious or so obvious as they are here, they are bound to be intensified as time goes on. In this matter primitive people have often a truer sense of justice than prevails among so-called civilised nations, and, while they may be willing to sell their own rights, they recognise that they have no right to sell those of their descendants.

TITLES TO LAND

The history of land titles is as interesting as it is instructive. When some Northumbrian fishermen went to take the limpets from the rocks on the foreshore at

Cullercoats they were confronted with the claim of the Duke of Northumberland that the foreshore, and the rocks on the foreshore, as well as the sea-weed and the limpets on the rocks, were his property. They challenged his title, and he proved it. For he was able to show that an ancestor received the grant of the shore from Henry VIII., and that for four hundred years before that the local monastery had owned it. The monks got it by a grant from King Stephen. Much less than this would have been held to warrant the Duke's claim, and in the eye of the law he triumphantly proved it up to the hilt. So we find that the fishermen's rights to take the limpets for bait were destroyed by a King who has been dead over 760 years. Such is the power of the "dead hand." And there is not a single title to land which, in the last analysis, has a better foundation than that of the Duke of Northumberland to the limpets by the sea at Cullercoats. Such are the rights of property which he once declared are of greater urgency and importance than the question of providing homes for the working classes.

The Duke of Buccleuch is the owner of nearly half a million acres, dispersed over fourteen counties. One of his estates covers many thousands of acres in Eskdale, and a magnificent and stately mansion testifies to the power of his family in that valley. The manner in which it came into the possession of the Scotts of Buccleuch is recited in Sir Walter Scott's *Lay of the Last Minstrel* (Canto the Third, x. to xii.).

> "By the sword they won their land,
> And by the sword they hold it still.
> Hearken, Ladye to the tale,
> How thy sires won fair Eskdale.
> Earl Morton was lord of that valley fair,
> The Beattisons were his vassals there;

The Earl was gentle, and mild of mood,
The vassals were warlike, and fierce and rude.
High of heart, and haughty of word,
Little they recked of a tame liege lord.
The Earl to fair Eskdale came,
Homage and seignory to claim.
Of Gilbert the Gailliard, a heriot he sought,
Saying, 'Give thy best steed, as a vassal ought.'"

The heriot was refused, and—

"But that the Earl to flight had ta'en,
The vassals there their lord had slain."

He escaped to Branksome Tower, and—

"In haste to Branksome's lord he spoke,
Saying: 'Take these traitors to thy yoke,
For a cast of hawks and a purse of gold,
All Eskdale I'll sell thee, to have and hold.
Beshrew thy heart, of the Beattison's clan,
If thou leave on Eske a landed man;
But spare Woodkerrick's lands alone,
For he lent me his horse to escape upon."

So with five hundred riders he rode to the valley, and the end of it was—

"The Scotts have scattered the Beattison clan,
In Eskdale they left but one landed man.
The Valley of Eske, from the mouth to the source,
Was lost and won for that bonny white Horse."

From that day to this the Scotts of Buccleuch have been masters there and have drawn tribute from all its inhabitants. Of the feudal robbers Froissart says, "Nought came amiss to them that was not too heavy or too hot." By such men were the Buccleuch estates founded.

Deeds like these were in Herbert Spencer's mind when he penned his unanswered and unanswerable indictment of private titles to land. "It can never be pretended that existing titles to such property are legitimate. Should any one think so, let him look in the Chronicles. Vio-

lence, fraud, the prerogative of force, the claims of superior cunning—these are the sources to which those titles may be traced. The original deeds were written with the sword, rather than with the pen; not lawyers, but soldiers, were the conveyancers; blows were the current coin given in payment; and, for seals, blood was used in preference to wax. Could valid claims be thus constituted? Hardly. And, if not, what becomes of the pretensions of all subsequent holders of estates so obtained?" (*Social Statics*, 1850 edition, Ch. IX.)

Of course, land was not the only thing that was stolen in those days. In unsettled times nothing was safe, and the one guiding principle was—

> "The good old rule, the simple plan,
> That they shall take who have the power,
> And they shall keep who can."

But the effects of a robbery of other kinds of property die out in course of time. They are perishable; land is imperishable. Other property of like kind may be called into existence, but no man can make an inch of land. And they are not fundamental necessaries of life, as land is. The evil consequences of the very worst theft of anything other than land are scarcely felt beyond one generation. The consequences of a robbery of land rights are unending so long as there are landless men. For the Beattisons were by no means the only sufferers by the fight in Gailliard's Hough in the fifteenth century. The landless tenants of Eskdale have suffered ever since, by being compelled to render of their substance to the Buccleuchs in return for mere permission to live on the land at all. And the Buccleuchs owe their present legal power to take the rents of Eskdale, and to spend them as they will, to the fact that one of their ancestors happened to be able to command the services of a fierce

band of his kinsmen and retainers in that memorable fray.

Another ancestor, Walter Scott of Kirkurd, received the barony of Eckford in Teviotdale from Robert II., for the apprehending of Gilbert Ridderford. In 1443 James II. of Scotland granted a Walter Scott half of the barony of Branksome, to be held in blanche for the payment of a red rose. The King got the rose, but the rents exacted by his tenant-in-chief were much more substantial. A few days afterwards the lucky Scott received part of the barony of Langholm and many lands in Lanarkshire. Every farmer, every labourer, and every tradesman on those estates is to-day the payer of tribute to the Duke of Buccleuch because of those grants.

The reckless way in which the land was granted away by the sovereigns of England for services that were merely nominal is an interesting study. The rent that might have paid all the ordinary expenses of government was never exacted. The rents payable by the tenants of the grantees were heavy enough, and have been steadily increased as the population has increased; but the rents payable by the grantees to the head of the State were often grotesquely and triflingly nominal, and have generally fallen into abeyance.

SOME ANCIENT TENURES

The Manor of Downhall (Cambridgeshire) was held for the service of holding the King's stirrup when he mounted his horse at Cambridge Castle.

The Manor of Acton (Bucks) was held by the Lords Grey of Wilton by the sergeanty of keeping a falcon for the King.

Addington (Surrey) was held by the payment of a mess of pottage. This, says Thomas Blount (*Tenures of Land*

and Customs of Manors), was apparently an appendage to the office of King's Cook, as Richmond (then Shene) was to the office of butler. The Lord of Baddow (Essex) had to keep the King's palfrey, and the Lord of Bekton (Devon) had to keep Exeter Gaol. William de Hastings held the Manor of Ashley in Norfolk by the service of taking charge of the table-cloths and other linen at the coronation of the Kings of England.

Every tenant of the Manor of Builth (Radnor) paid maiden-rent, namely a noble at each marriage, in lieu of the ancient and indescribably disgraceful custom of Merchetta. At the coronation of Edward VII., Mr. Southerton-Estcourt claimed the right of being chief larderer, that being the original title to his lands at Shipton-Moigne in Gloucestershire.

The Lord of Shirefield had the duty of exercising supervision over the royal laundresses, of dismembering condemned malefactors, and measuring the gallows.

The Falconbergs formerly held the Manor of Cokeney (Notts) by the sergeanty of shoeing the King's horse when he went to Mansfield.

Theobalds (Middlesex) was granted as a Crown Manor in 1441 for the annual tender of a bow worth 2*s.* and a barbed arrow worth 3*d.*

William Russell held Kingston in the County of Dorset by sergeanty of being keeper of the door of the King's butlery at the four principal feasts of the year, and of counting the King's chessmen and putting them into a bag when the King should "perform the game" with him.

The King's Remembrancer every year attends at the Royal Courts of Justice to receive the rent payable to the Crown by the Corporation of London in respect of some land in Shropshire. The rent consists of two

hatchets ; and for some land in the parish of St. Clement-le-Dane the rent is six horse-shoes and sixty-one nails. The City Records show that these rents have been paid for the last 650 years at least.

The Talbots of Malahide near Dublin have held the castle and lordship for nearly 700 years, "with Sac and Soc, Tol and Them, infangthef, and the judgement of Water, of Iron, the Duel, the Pit and the Gallows," by rendering to the King the services of one archer, with a horse and a coat of mail.

An ancestor of the Earl of Derby, Sir John Stanley, received from Henry IV. a grant "to fortify his house at Leverpool, and the lordship of the Isle of Man, as of all the Regalities, Franchises, and Rights thereto belonging and the patronage of the Bishoprick there," to be held of the King by homage, and the service of two falcons payable on the day of the coronation.

There were few castles till the time of the Normans, but there were 1,115 by the end of Stephen's reign. The lords of these castles soon began to arrogate to themselves a royal power, exercising judicature, both civil and criminal, coining of money, and arbitrarily seizing forage and provision for the subsistence of their garrisons, which they afterwards demanded as a right. William of Newbury says, "There were in England as many kings, or rather tyrants, as lords of castles," and Matthew of Paris said the castles were "very nests of devils and dens of thieves." The power of the landlord is different now, but it still remains true that power over land gives power over men.

DISSOLUTION OF THE MONASTERIES

Enormous tracts of land were conferred upon the monasteries, and one condition was that masses were

to be said for the repose of the souls of the pious donors. Those lands were resumed by Henry VIII. at the dissolution of the monasteries, and most of them are held to-day by our territorial aristocracy.

Pennant says that no family profited so much by the spoils of the Church as that of the Russells. Sir Bernard Burke, in *The Rise of Great Families*, says: "To the grant of Woburn Abbey in 1547 the Russells owe much of their property in Bedfordshire and in Buckinghamshire; to that of the rich Abbey of Tavistock (containing thirty manors) vast fortunes and interests in Devonshire; and, to render them the more extensive, that of Dunkeswell Abbey was added. The donation of Thorney Abbey gave Lord Russell an amazing tract of fens in Cambridgeshire, together with a great revenue. Melchburn Abbey increased his property in Bedfordshire. The Priory of Castle Hymel gave him footing in Northamptonshire, and he came in for parcels of the appurtenances of St. Albans, Herts, and Mount Grace in Yorkshire; not to mention the house of the Friars' Benchers in Exeter, and finally the estate about Covent Garden, with a field adjoining, called the Seven Acres, on which Long Acre is built, and which was forfeited by the Duke of Somerset."

Green, the historian, says that "three hundred and seventy-six smaller houses had been suppressed in 1536; six hundred and forty-five greater houses were surrendered and seized in 1539. Some of the spoil was devoted to the creation of six new bishoprics; a larger part went to the fortification of the coast. But the bulk of these possessions were granted lavishly away to the nobles and courtiers about the King, and to a host of adventurers who had become gospellers for the abbey lands. Something like a fifth of the actual land in the Kingdom was in this way transferred from the Church to that of nobles and

gentry. Not only were the older houses enriched, but a new aristocracy was erected from the dependents of the Court. The Russells and the Cavendishes are familiar instances of families which rose from obscurity through the enormous grants of Church lands made to Henry's courtiers."

Sir H. Spelman (*History of the Confiscation*) says that Thomas Howard, who was Duke of Norfolk when the monasteries were suppressed, managed to secure thirteen religious houses in the eastern counties. One of these was Castleacre Abbey, which possessed 11 manors and 33 rectories in Norfolk, 8 rectories in other counties, and lands, tithes, and rents in 142 Norfolk parishes.

Haxted's *History of Kent* records that Thomas Cranmer, " observing murmurings among the hungry courtiers of the Archbishop's palaces," surrendered the Manors of Olford, Wrotham, Bexley, Northfleet, Maidstone, Knole, Sergeants Orford, Sevenoke, Shoreham, Chevening, Panters, and Brytains, with their appurtenances. If this is what he surrendered, how much must he have kept !

Nor were the Cecils behindhand in the great scramble for territory. Richard Cecil, one of the gentlemen of the King's Chamber, got "Stamford Nunnery with St. Martin's Rectory, the house and site of the late priory of St. Michael, near Stamford, the church, steeple, and churchyard thereof: the Manor of Workthorpp which belonged to the late Monastery of Croyland; Whitefriars, Stamford; lands in Colyweston, Northampton, which belonged to Stamford Priory; Beckardes Marsh in Brokeland Parish, Kent, which belonged to the Archbishop of Canterbury; the Almshouse within the precinct of the late Monastery of Westerminster," and so on. The latter grant probably accounts for the valuable

Salisbury Estate in the Strand and in the Shaftesbury Avenue district.

The foundation of the fortunes of the Dukes of Portland was laid by grants by William III. to one of his fellow-countrymen, a Bentinck, who came over with him to England. So lavish were the grants made by William that he was forced to withdraw some of them. Amongst them was a grant of four-fifths of a county to Bentinck and his heirs for ever for an annual rent of 6*s.* 8*d.* A few months later, Bentinck got the Manors of Grantham, Bracklow, and Rudneth, Terrington, Partington, Bristol Garth, Harnsey, Burnisley, Leven, Pevensey, and East Greenwich, and the Honour of Penrith. Welbeck Abbey and the vast and valuable mineral lands are the present-day fruit of those grants.

Nor must we forget the grants which were made by one of the most dissolute monarchs who ever disgraced the throne, Charles II., for the endowment of his illegitimate children, who are represented by several ducal families to-day.

But the enclosure of commons was one of the chief agencies for the aggrandisement of the landed interest.

In the course of time, by purchases, and by the marriage of heiresses, the great estates have been still further enlarged, and, by means of the law of primogeniture and entail, they have been maintained for the most part intact. But naturally it could not always remain so in all cases. And so the men of money made in trade sometimes buy the rights of lordship which the older families have to relinquish. As was wittily stated in the House of Commons by the Member for East Edinburgh: "Ben Wyvis belongs to Shoolbreds, the land of the Mackenzies and the Matthewsons to Baron Schroeder, Skye belongs to Nixey's Blacklead, Loch

Ness to Bass's Beer, and Inverary Castle to Beecham's Pills."

But there is nothing but an occasional change of ownership, and the outstanding fact remains that the bulk of the land is still in the hands of a small minority of the people, while the masses are disinherited, as they have been for centuries.

CHAPTER IV

LANDLORDS' POWERS AND PRIVILEGES

PASSING from the way in which land has come into the possession of its present holders, we come now to an examination of the way in which they have used the power which its possession confers upon them. So far-reaching is that power that they would have been more than human if they had always used it unselfishly and with consideration of the rights of others. To say that they have used it generally for their own enrichment, and for the establishment, maintenance, and extension of many unfair privileges, is not so much to condemn them as individuals, who are inherently worse than others, as to condemn the system which invests them with the power to act as they have done.

Cosmo Innes tells us that the original charters of free barony usually included the following rights and privileges: "The woods and plains, the pastures and meadows, mosses and marches, the running waters, ponds and fish-tanks, the roads and paths; with the brushwood, jungle and heaths, the peatries and turbaries, the coal-fields, quarries, stone and limestone; with the mills and sucken, the smithies, brewhouses and saltworks; and the fishings, hawkings, and huntings."

The comprehensiveness of the property of the landlords is in fact absolutely unique. From the height above to the depth beneath all in Nature is theirs. From the centre of the earth to the zenith of the sky is theirs by

the law. It would be impossible for the masters of such property as that to fail to become the ruling class, and it would be miraculous if they had not exercised such far-reaching mastership with disastrous consequences to all who were outside their own charmed circle.

LANDLORDS AS LEGISLATORS

All wealth passed into their hands save such as was necessary to maintain a bare subsistence for the workers. A property qualification was the only passport either to the House of Lords or to the House of Commons, and the only property qualification that was recognised was that of property in land. To become a law-maker it was not merely necessary that a man should be rich, but it was stipulated that he must be rich in land. Even so late as 1868 it was the law that every candidate for a county constituency must have a rent-roll of at least £300 a year; and the special franchise of the 40*s.* freeholder still remains to remind us of the time when few but landlords had the vote, and to form the basis of the iniquitous system of plural voting. A mere tenant, however great may be the rent which he pays, must qualify by residence, and it often takes him nearly two years before he can be enfranchised. But the possession of a freehold worth only £2 per annum secures the vote as a matter of course in three months.

A Committee of the House of Lords was appointed in 1819 to search the journals of the House, Rolls of Parliament, and other records and documents touching the Dignity of a Peer of the Realm; and they found that only those who held land by Barony were originally entitled to the special writ as Lords of Parliament. "The result," they said, "of the whole of the documents which have come under the view of the Committee, from

the Conquest to the close of the reign of King John, seems to be, that the great Council of the Realm consisted only of persons falling under the general denomination of Barons—that the Council therefore was a Council of Barons; that, as Barons, their obligation to attend the Great Council probably originated in the tenure of their lands, which may be inferred from the Constitutions of Clarendon representing the duty of the clergy to attend the King's Courts as arising from the tenure of their land."

While for centuries the House of Lords was a House of Landlords, the House of Commons was also dominated by the same class. In 1816 no less than 300 out of a total of 658 members of Parliament were nominated by Peers, and 171 by commoners, who were in all cases landlords. Lord Lonsdale nominated 9, the Duke of Rutland 6, the Duke of Newcastle 5, the Duke of Northumberland 4, the Duke of Buccleuch 4, Lord Mount Edgcumbe 4, Lord Fitzwilliam 8, the Duke of Norfolk 6, Lord Grosvenor 6, the Duke of Bedford 4.

When the Reform Bill was passed, in 1832, "the House of Commons swarmed with cousins and nephews of great noblemen, who were patrons of family boroughs, and with wealthy squires who scorned a peerage but made it a point of honour to stand for their own county at the first general election after they came of age." [1]

With such a machinery of law-making the common people were as clay in the hands of a potter, and the administration of the law was controlled by the landed interests—for the judges were the nominees of the Government of the day. As Lord Chancellor Haldane has recently said, most of our law is judge-made, and when we remember by whom the judges were appointed,

[1] *George III. and Charles Fox*, by Sir George Trevelyan.

we can understand how the law has been almost invariably interpreted so as to strengthen the position of landlords as against the rest of the community.

Turning to the administration of the law by the unpaid magistrates, particularly in rural districts, the same phenomenon appears. The position was satirised by Charles Dickens in *David Copperfield*.

"'How do you suppose he comes to be a Middlesex magistrate?' said I. 'Oh, dear me,' replied Traddles, 'it would be very difficult to answer that question. Perhaps he voted for somebody, or lent money to somebody, or bought something of somebody, or otherwise obliged somebody, or jobbed for somebody who knew somebody who got the Lieutenant of the County to nominate him for the commission.'" Only very slowly is the constitution of the rural magisterial bench being democratised. Its bias in defence of the rights of property is proverbial, and particularly when the sacred right of preserving game is involved.

"In Blackstone's time," said Lord Chief Justice Coleridge, in an address before the Glasgow Juridical Society in 1888, "there were one hundred and sixty felonies punishable with death, and, as but few of these had reference to the defence of life or person, the vast majority of these statutable crimes were made crimes in defence of property, and the statutes which created them were statutes to protect the enjoyment of property. In the time of Sir Samuel Romilly—the contemporary, remember, of Lord Byron, of Wordsworth, of Mr. Canning, of Lord Palmerston, of Sir Robert Peel—it was capital to steal in a dwelling-house to the value of 40*s.*; capital to steal in a shop to the value of 5*s.*; capital to counterfeit the stamps used in the sale of perfumery; capital to counterfeit those used in a certificate for hair

powder; capital to cut down a hop-vine growing in a hop plantation; capital, I believe (but I cannot verify this statement, so take it as doubtful), to cut down a cherry-tree in Kent." Lord Coleridge goes on to say, "All these horrors were abolished by slow degrees, and in the face of the most determined resistance by men whom I cannot call great, but who were certainly men of great ability and high character, who based their resistance always on the ground that to abolish these terrible laws was to attack property, and to attack property successfully was to subvert society itself."

Every attempt to humanise the law was met with the antagonism of the governing classes, that is, chiefly, the landlords. Every attempt to extend the franchise they opposed. A national system of education was impossible until their power had been weakened by the introduction of non-landlords to the franchise and to Parliament. They opposed the emancipation of the slaves in the West Indies, on behalf of the sacred rights of property. On behalf of the Established Church they opposed the emancipation of Jews, Catholics, and Non-conformists from the degrading disabilities under which they long laboured.

It was the landlords who passed the infamous Corn Laws in the interest of the high rents which they were thus enabled to extort from the farmers. The sufferings of the starving people made no appeal to their sympathy. In *The Age of Bronze* Byron scathingly satirised the indifference of the lords of the soil to everything except their own hard-wrung profits of ownership.

> "The land *self*-interest groans from shore to shore,
> For fear that plenty should attain the poor.
> .
> The peace has made one general malcontent
> Of these high-market patriots; war was Rent!

Their love of country, millions all misspent,
How reconcile ? By reconciling Rent.
And will they not repay the treasure lent ?
No : down with everything and up with Rent.
Their good, ill, health, wealth, joy, or discontent,
Being, end, aim, religion—Rent, Rent, Rent ! "

At every turn it will be seen that the interests of the landlord are protected. He is the " spoiled darling " of the law. Let us take a few examples.

PAYING TWICE OVER

An application was made by a poor woman on October 5, 1911, to Mr. Rose, the magistrate at Tower Bridge Police Court. She stated that previous to July 15 she occupied a house in Little Surrey Street, Blackfriars Road, at a rental of 12*s*. weekly, the landlord paying rates and taxes. On that date she moved into another house in the same street and under a different landlord. On September 27 a distress was levied upon her furniture for rates and costs in regard to the house she had formerly occupied, as the rates had not been paid by her landlord there. He had had the money from her, but had not paid it to the Southwark Borough Council. The Court Missionary made inquiries at the request of the magistrate, and he found that the course adopted by the Council of suing the tenant instead of the landlord was a strictly legal one, and there were hundreds of similar cases. The applicant's only remedy was to sue her late landlord in the County Court. He, as landlord, must be sued in the County Court, but she, as a mere tenant, is subject to the summary process of distress, and is liable to have her goods seized, not to pay her own debt, but his.

LANDLORDS AS PREFERENTIAL CREDITORS

Distress is the taking, without legal process, of cattle or goods as a means to compel the payment of rent. With-

out any express or implied agreement every landlord has the right to distrain for rent in arrear. At one time practically everything upon the land, whether it belonged to the tenant or not, could be seized to pay the tenant's rent, and there was no limitation as to the length of time over which arrears were thus recoverable. One of the first things the Reform Parliament did in 1833 was to pass the Real Property Limitation Act, which prevented the landlords from distraining for rent more than six years in arrear. Fifty years later landlords of agricultural holdings were limited to rent one year in arrear, though landlords of houses and shops and ordinary buildings may still distrain for six years arrears. Until the passing of the Agricultural Holdings Act, in 1883, any machinery hired by a farmer, or any cattle taken in by him to graze, could be seized. The wearing apparel and the bedding of the tenant or his family, up to the value of £5, and the tools of his trade, are, by a merciful dispensation, exempted from distress. And the property of lodgers has, since 1871, been exempt if they claim the protection and comply with the requirements of the Lodgers' Goods Protection Act, 34 and 35 Vict. c. 79.

Even after the winding up of a company in bankruptcy has commenced, distress is possible with the leave of the Court. Goods liable to strangers may be taken to satisfy a distress. Things fixed to the freehold, as affixed machinery or a blacksmith's anvil, are exempt, for they have become part of the sacred land itself. Things delivered to a person exercising a public trade to be carried, wrought, or worked up, e.g. a carriage under repair, or silk sent to be worked up, are exempt, but a picture returned to the artist to be altered has been held to be distrainable. A ship being built in dock can be distrained upon for rent owing by the builder, even though

the customer may have paid on account many thousands of pounds for the execution of the work.

Again, in ordinary cases of debt, the debtor may set off any amount due to him from his creditor. Only the balance is recoverable, and that by the County Court. Thus if A owes B £100 and B owes A £50, B can only recover £50. But if the £100 is rent, the whole amount can be distrained for, notwithstanding that the net debt is only £50.

DISTRAINT UPON A STREET ORGAN

An elderly man complained to Mr. Paul Taylor, at Southwark in June 1904, that a street organ, by which he and a blind man obtained their living, had been distrained upon. It appeared that the applicant placed the organ at night in a stable, paying a small rental. The actual tenant became in arrear with his rent, and the landlord put in a distress. One of the articles seized by the plaintiff was the organ. Mr. Paul Taylor said the applicant was not a lodger, and he could do nothing for him. The bailiff had a perfect right to seize the organ, and as long as the law allowed the landlord to be the preferred creditor this sort of thing would occasionally occur. The applicant said the tenant of the premises had advised him to attend at the sale of the property seized and buy in the organ. The only advice which the magistrate could give him was that he had better attend and buy back his own property.

LENT PICTURES LIABLE FOR RENT

The following case was reported in the *Times Law Reports* in 1908. Challoner *v.* Robinson, T.L.R., XXIV.

"The plaintiff was sub-lessee of certain premises upon which he carried on a club to which artists (members)

sent pictures for exhibition. Members and friends introduced by them alone could use the club, and the plaintiff received a commission upon all pictures sold. By the rules of the club the entire management of the pictures and their exhibition was vested in the Picture Committee. Certain pictures which were being exhibited were distrained upon by the superior landlord for rent due from his lessee. Plaintiff, and the artists who owned the pictures, brought an action claiming an injunction to restrain lessor from proceeding with distress. Mr. Justice Neville held that the plaintiff did not carry on public trade so as to render the pictures privileged from distress." (*Vide* note on page 91.)

SUB-TENANT'S LIABILITY FOR THE GROUND RENT

The following case shows that a sub-tenant was liable for the leaseholder's payment of the landlord's ground rent, although he might have already paid the money for it to the leaseholder.

The exercise by a landlord of his full rights against a sub-tenant moved the latter to complain in the columns of the *Morning Leader*. The ground rent being overdue, the landlord distrained on a sub-tenant, the occupier, of whose name he and his agent were ignorant, and who was naturally surprised to find a man in possession for a debt of which he had never heard. No notice of the impending process had been received, nor any sent, except a circular addressed "Occupier," which, naturally enough, never met the tenant's eye. The landlord asserted, no doubt with truth, that no notice of any kind was legally necessary. That is how the law of landlord and tenant stands in England to-day—a survival from feudal times in which most men, more or less, mildly acquiesce. The man who lends money can

only recover it by taking action in the Courts. He cannot even arrest his debtor if he sees the latter flinging his money away broadcast. When he lends a house or land he is by its very nature protected against such loss. His capital is so safe that the expression "safe as houses" has become a proverb. Why, then, does the law give him, of all others, the power of summary process at his own instance for the recovery of his interest, even from a man who is under no contract with him? Merely because the law has done so from time immemorial. Add the fact that the landlord, and especially the ground landlord, is peculiarly exempt from rates and taxes, and we have a state of favouritism that stands greatly in need of alteration. (*Vide Daily News*, January 16, 1906.)

AN AUSTRALIAN CASE

The *Sydney Bulletin* in August 1909 showed that British law, which makes the landlord a preferential creditor, was imported into Australia to protect the Australian landlord. It says:

"An ancient statute of George II. raised its untidy head in a Sydney police court, and smote one of the lieges of Edward VII. just where he least expected. The defendant owed his landlord 49*s*. Instead of paying he removed at daylight one morning by the back door. The aggrieved landlord sued him under the senile statute mentioned, and got a verdict for £10, being twice the value of the goods which went out at the back door, *and* costs. The Act is an instance of the British law's veneration for the blessed landlord. Had the person who fled owed his butcher, milkman, or vegetable John 49*s*., the creditor would have been lucky to get a verdict for the bare amount, let alone one for four times the sum due."

DISFRANCHISEMENT

The following is an interesting case which shows how the omission of a landlord to punctually pay rates, the money for which he has already collected from his tenants for that purpose, leads to their being struck off the list of voters.

It was raised at the South Hackney Revision Court on September 14, 1911, arising out of the landlord of a number of small houses compounding for the rates, but failing to pay them at the proper time.

The houses were owned by one landlord, to whom the tenants paid their rates with the rent. The landlord had not, however, paid his quota to the local authorities within the statutory period, and the overseers consequently omitted the names of the occupiers from the voting lists, unpaid rates being a disqualification.

Mr. Sexton (Liberal) asked whether the local authorities or any one else had made inquiries to see whether the landlord had done this wilfully or not.

The Barrister said he did not think the question could be discussed there.

The Registration Clerk: The rates were not paid, so the names were struck off.

Mr. Sexton: It seems quite clear, then, in that case that any gang of landlords may paint the town red or blue at their own pleasure by omitting to pay the rates until the tenant is struck off.

The Barrister pointed out that he was bound by the decision of the Master of the Rolls that the rates must be paid before a vote could be allowed.

It was stated that in the North Hackney Division the voters in fourteen houses in Windus Road would be similarly disfranchised. What would have been said

if, through default of the tenant, the landlords had been struck off the register? We may be sure that a law which would have permitted such a catastrophe would speedily have been altered.

ALLOTMENTS FOR LONDONERS

Within the County of London there are nearly 14,000 acres of open land. And there are a few hundred thousand working men who would be glad to have even the temporary use of it as garden allotments until it is needed for building or other purposes. So in 1898 the London County Council decided to promote an Allotment Bill to secure some of it for them, as the Allotment Acts of 1887 and 1890 do not apply to the County of London. The Lords threw the Bill out, but the next year the Council tried again. Lord Carrington introduced the Bill. The Lord Chancellor took his seat on the Woolsack at 4.15 and the House rose at 5.20. In that short space of time they disposed of this laudable effort to make land accessible to labour, and threw the Bill out by a majority of 58 to 16. Then they went home to dine, knowing that they had done what they were expected to do.

THE WATER SUPPLY

As the greater includes the less, land includes water. Before a community can establish a water supply it must buy off the lord of the land. The gathering-grounds are his, the bed of the running waters is his, and the land on which the pipes have to be laid is his.

Fortunately a town can obtain compulsory powers, but an Act of Parliament is a very costly luxury, and the expenses of an arbitration are heavy. And so landlords are in a position to drive very hard bargains.

In 1892 there was a great scarcity of water in Hawick,

and the Town Council decided to augment the town's supply by asking the Duke of Buccleuch to permit them to take some of the surplus water from the Skelfhill Burn. The *Glasgow Weekly Mail*, in reporting the subsequent meeting of the Town Council, said that "the Duke's agent replied that his Grace would only grant permission on condition that the Council erected a subsidiary reservoir to supply his feus on high-lying ground, and conveyed to him strips of ground in the neighbourhood of the town as compensation for the right to use the water." And the Council decided to let the question lie over till the ratepayers had an opportunity of expressing their opinions. But the only way in which the ratepayers can meet a difficulty like that, is by using their votes to put an end to the stupid system which forces a great community to go hat in hand, either to the Duke of Buccleuch or some one else, before they can use the good things which Nature so abundantly supplies and intends for the welfare of all.

In 1900 the Campbelltown Town Council desired to extend their water supply, and they applied to the Duke of Argyll, the head of the Campbells, for some of the water that now runs off from "his estate" into the sea. His Grace refused, and on January 24 the Town Council decided to publish the whole of the correspondence, which was so voluminous that it occupied three columns in the local newspaper. The Provost said that "the whole thing is disgraceful"; and one of the Councillors said, "We are threatened year after year with epidemics, to prevent which water is one of the greatest essentials. There are millions of gallons running waste to the sea, and I do not think that any man, let him be ever so good, should have the power of saying to the people, you shall or you shall not get water."

The Brighton Corporation compulsorily acquired 47½ acres in 1898 in the parish of Old Shoreham, in connection with the town water supply. It was pasture land worth a rent of £3 an acre, and formed a part of an estate of 4,500 acres. The landlords claimed £10,000, and the jury awarded £6,000. But the land contained a stream called Spring Dyke, and the landlords claimed also for the water which would be taken from it for the inhabitants of Brighton. It was argued for the Corporation that the private landlords had no property in the running water and had only the right to take it for ordinary purposes. There were other riparian owners, above and below, and it was absurd to suppose that any one or two of them were legally entitled to draw an unlimited amount for themselves, and to empty the stream or to divert it if they could. Hitherto the water had only been used by the landlords for the watering of stock. But they saw their chance. They calculated that the Corporation had drawn 547,440 thousand gallons in the past twelve months. At a penny per 1,000 that means £2,281. They then capitalised this at 25 years' purchase, and found it came to £57,025. To this they added 10 per cent. for compulsory purchase, making a total of £62,727.

In the end they got what they claimed, and, by investing it at 4 per cent., they and their descendants can now draw nearly £50 per week in perpetuity for the water that used to flow to the sea unchecked while the land was in their possession, and until it was found to be necessary for the people of Brighton.

MARKETS

Among the privileges which kings conferred upon their favourites one of the most valued was the sole right to hold a market. Thus Henry III. gave letters patent to

his beloved valet, Edmund de Lacy, to have one market every week on Thursday at his manor of Brafford. This right was confirmed by Edward I. to Henry de Lacy, Earl of Lincoln, in 1294. Under Richard II. it passed to the Marquis of Dorset, and from him to the Archbishops of York and Canterbury. In 1628 it went to certain citizens of London," and in 1795 John Marsdon got the charter, and sold his rights the same year for £2,100 to Benjamin Rawson. Only seventy-one years later, in 1866, the Corporation of Bradford took a lease of the manorial market rights of their town for a term of 999 years at an annual rent of £5,000. In 2865 A.D., those rights will revert once more to the lord of the manor. unless something else happens, as it probably will

At Sheffield the Duke of Norfolk had the monopoly of a market, and in 1874 his nett profit was £6,543. In 1875 the Corporation wanted to buy the Duke out, but the price he asked was £267,450, and the mayor, in giving evidence before a Royal Commission, described the conditions as intolerable. Twenty years later the price had gone up to £526,000 and the Corporation had to yield, or at any rate did yield.

THREE ACRES AND A MARKET

In 1661 Charles II. granted to the Earl of Bedford, his heirs and assigns, the right for ever to hold and keep a market within the parish of St. Paul, Covent Garden, in a certain place there, called the Piazza, measuring 3 acres and 34 perches. In 1866 the Duke's agent, Mr. Bourne, admitted that there was a clear profit of £15,000 on the chartered market alone. He also admitted that toll was taken on goods not brought to the market at all, but consigned direct from the producer to the purchaser. Toll was also charged upon each wagon that stood in

the adjacent streets outside the market area, but this charge was afterwards found to be illegal and has had to be discontinued. And, of the £15,000 admitted annual profit, not a penny is paid towards the local rates which have to be spent for the cleansing of the streets after the wagons have been taken away.

Spitalfields Market depends upon a Charter given by Charles II. to John Blach. The Goldsmids held it, and received a rent of £5,000 a year from the lessee. And when the Great Eastern Railway opened a market at Stratford in 1897 for the convenience of farmers and market gardeners, they were beaten in a lawsuit, and agreed to pay toll to the lessee of Spitalfields Market for all goods sold at Stratford or Bishopsgate. The dead hand of Charles II. is indeed a living reality even in the twentieth century. We have long seen the folly of granting perpetual pensions, yet, if there ever was a perpetual pension, the grant of a market monopoly comes under that description. The only difference is that the pension is not fixed in amount, and that it invariably grows as the needs and numbers of the people increase.

FORESHORES

In Stroud's *Judicial Dictionary* a foreshore is defined as follows: "The seashore up to the point of high-water or medium tides, between spring and neap tides, is called the foreshore, and is prima facie vested in the Crown, subject to the rights of the King's subjects for fishing and navigation only, not only in the sea, but in all tidal and navigable rivers, and of passing over the foreshore itself; but it may belong to a subject, either by itself or as part of a manor."

But foreshores have been alienated by the Crown in

thousands of cases and the rights of the public have been circumscribed or destroyed.

WILD FOWL ON THE SEVERN

In the case of Fitzhardinge *v.* Purcell, in 1908, the House of Lords held that Lord Fitzhardinge's ownership extended over the foreshore to the middle of the deep-water channel of the Severn. The defendant had been shooting wild fowl on the river, but it was held that the wild fowl were Lord Fitzhardinge's property, they being birds of warren. "The franchise of free warren is of great antiquity," said Lord Tenterden in a former judgment, "and very singular in its nature. It gives a property in wild animals, and that property may be claimed in the land of another to the exclusion of the owner of the land." The defendant was a trespasser on the foreshore unless he could establish a right to be there. As a matter of fact, the only right he claimed was as a member of the public, or as one of the inhabitants of the manor, under a custom long exercised by such inhabitants for the purpose of wild-fowling. This was not enough, so the judgment went in favour of the lord of the manor, as judgments generally do.

THE LANDLORD'S RIGHT TO THE SEAWEED

In 1892 the Seaware (Crofting Counties) Bill was promoted, but never reached the Statute Book, to give a right to crofters in the Highland counties to take seaweed from the beach wherever it was accessible to them, and to give them rights of way to carry it to their crofts to be used as manure. The Bill also sought to empower the crofters to take the seaweed to manufacture it into kelp, an industry that was at one time widely practised on the seaboard of the Western Highlands and Islands.

The seaweed was laboriously brought beyond high-water mark, and dried in the sun. It was then burnt in shallow pits, and twenty tons of seaware yielded one ton of ash called kelp, which used to fetch £8 to £10 per ton. The harvest of the sea was a harvest for the lords of the shore.

The seaweed is the chief manure of many crofts. The big farmers did not use it themselves, but they objected to the crofters using it unless they paid for it, and the landlords took the side of the big farmers.

In fixing judicial rents along the coast of Connemara the value of the seaweed driven by the wind and waves on to the shore is taken account of by the Land Sub-Commissioners. The possibilities of it being made into kelp are urged by the landlords as a reason for a higher rent than would otherwise be fair, and the Commissioners allow the claim. And when such land is bought by the State under the Land Purchase Acts, the existence of the seaweed adds to the price.

Where the actual collectors of the seaweed are owners of the adjacent land there is, of course, much more justification in them claiming it as theirs. Thus on the south-west coast of Norway the farmers are more fortunate than the landless peasant of Connemara and the Hebrides. The burning of the weed illuminates miles of coast-line during the period of collection. Every member of the household of those farmers and peasants with holdings running to the seashore is busily employed in the work.

As a source of income, says Consul Lasmussen, of Stavanger, the apparently worthless growth has in a very few years surpassed fishing and agriculture in fortune-building. The ashes resulting from the burning are sold to British agents, and contain many valuable chemical properties, including iodine, but the use to

which they are ultimately consigned is not known in Norway.

"Old debts," the Consul adds, "have been paid off, small farms that were isolated and surrounded by unproductive land have had their boundaries extended by the draining of marshes and clearing of rocky wastes that have not been utilised since the Stone Age, and this very land, which has been considered worthless and unfit for cultivation, has by this evolution become productive.

"Not more than twenty years ago there was not a mowing machine in the entire district, while now there are mowers, hay-rakes, harrows, and other modern machinery on nearly every farm."

THE RIGHT TO BEACH A BOAT

In 1893 the Duke of Argyll sought an interdict to prevent a fisherman from beaching his boat on any part of the foreshore adjoining his Rosneath estate, which runs along Gareloch and Loch Long. The fisherman had been driven in by stress of weather and a leaking boat. But the Dumbarton Sheriff Court said, "It would be inhuman to deny a refuge to any one in such peril as the defender was," and rightly described the Duke's claim as a preposterous one. However, the mere fact that such a claim was made is significant of the spirit in which landlords' rights are frequently asserted.

THE RIGHT TO BATHE

In the Chancery Division, in January 1904, Mr. Justice Buckley gave judgment in the action of "Brinkman *v.* Maltby," whereby the trustees of the Marquis of Conyngham sought to restrain an alleged trespass in Joss Bay, Broadstairs, claiming to be absolute owners of the fore-

shore as lord of the manor of Minster. The defendant, a Poplar schoolmaster, with the permission of Mr. Harmsworth of Joss Farm, had a camp of boys at the farm, and they bathed in Joss Bay. The contention for the defendant was that there was a customary right of all the inhabitants of Minster to go on the foreshore, and that there was a customary right of all his Majesty's subjects to bathe in the sea.

Mr. Justice Buckley found for the plaintiffs, and made a declaration that they were absolute owners of the foreshore. He granted an injunction with costs.

Any hope of establishing a claim on the part of the public to a common-law right of bathing in the sea or tidal waters was destroyed in 1821, by a decision of the Court of King's Bench.

This decision has been endorsed in several cases. For instance, in 1899 the present Master of the Rolls, in giving judgment in an action brought by the Llandudno Urban District Council against a clergyman who had preached upon the foreshore in defiance of their by-laws, said: "The public are not entitled to cross the shore even for the purposes of bathing or amusement. The sands on the seashore are not to be regarded as in the full sense of the word a highway."

It is therefore clear that the law must be altered, for the public generally cannot hope to establish any claim to a common-law right to bathe. The Royal Commission on Coast Erosion recommended that the law should be altered so that "a clear right of passage by foot upon all foreshores in the United Kingdom, whether Crown property or not, should be conferred upon the public, in addition to the rights of navigation and fishing which they already possess."

The Commission suggested further alterations which

will commend themselves to all seaside inhabitants and visitors, when they added to their report:

"We recommend, as regards the public use of the foreshore for further purposes, such as those of bathing, riding, driving, collecting seaweed, etc., that the Board of Trade should be empowered by order, after a local inquiry, if necessary, to define such public user and its extent, in localities where it may be desirable in the public interest that it should be exerciseable, with power to put limitations on such user if necessary."

THE MAGIC OF PROPERTY TURNS SAND INTO GOLD

Sometimes the ownership of the foreshore gives substantial gains to the landlord. In such cases Arthur Young's famous saying that "the magic of ownership turns sand into gold" proves to be very true, though in a different way from the one that he had in his mind when he said it. The ownership of the sands on the shore at Bootle meant a clear gift of £80,000 to Lord Derby when the Liverpool Docks extended seawards. The sands were useless for agriculture, and useless for building, but they were absolutely essential for the making of the Bootle Docks. And Lord Derby had to be bought off before a single navvy could start work. Similarly the sand-hills at Southport have proved a gold-mine to the Hesketh and Scarisbricks.

The Government have an artillery station at Shoeburyness, and the big guns fire seawards over the Maplin or Foulness Sands. The sea covers the sands at every tide, and they are practically worthless for any other purpose than as an artillery range. But it was not to be expected that the Government would be allowed to train gunners there in the art of national defence without some substantial recognition of the sacred rights of

private property. A long and costly lawsuit, carried to the Court of Appeal in 1891 (Attorney-General *v.* Emerson and others, Appeal Court, 649), ended in the complete victory of the lord of the manor. No evidence was brought forward that the sands had ever been granted by the Crown, but a grant was presumed in favour of the landlord, and he exacted £30,000 from the taxpayers. In addition, they had to pay thousands of pounds in costs for contesting his claim. Such are the fruits of private property in land.

The lord of the beach at Shoreham has graciously permitted some hundreds of bungalows to be erected there. The ground rent used to be £1, but it is now £3. And at other places rent is paid for the erection of bathing tents, as at Marske-by-the-Sea, where Lord Zetland is lord of the shore. No service is rendered in return for the rent. It is obviously simply a payment for permission to live, or to be in a particular place by the sea. And it is a striking illustration of the Ricardian dictum that "rent is the price which is paid for the original and indestructible properties of the soil."

Jet is found in the cliffs and on the sea beach at Whitby, but it cannot be got without the ground landlord's permission. And "the flint stones are his also." They wash out of the cliffs or are thrown upon the beach, and poor men collect them. They get a shilling a ton for them from the Local Council, and out of every shilling the lord of the manor takes a penny. It reminds one of the famous passage from Carlyle's *French Revolution*: "The widow is gathering nettles for her children's dinner; a perfumed seigneur, delicately lounging in the Œil de Bœuf, hath an alchemy whereby he will extract from her the third nettle and call it rent."

Again, the lord takes sixpence for every load of sand

taken from the Whitby beach. Farther north there are fossils known as "Whitby snakes." The poor man who collects them has to pay royalty to a marquis and a baronet who own the shore where they are found. Then, and not till then, he is permitted to grind, polish, and mount them, and make what he can of them.

SWANSEA AND THE DUKE OF BEAUFORT

The following evidence was given by the Mayor of Swansea and others before the Welsh Land Commission. The Commissioners report, "It is of importance in our eyes, as showing the vigilant care taken to press the rights of the Duke of Beaufort to their utmost legal extent, and as an illustration of the inconvenient economic effect of allowing vague rights to persons whose permission enables their agents to exercise pressure (however well founded in law) upon others engaged in industrial pursuits."

Under a grant of King John, the Duke of Beaufort, as successor in title of the grantee, is lord of the "terra de gower." This includes the right to a great many manors, including that of Swansea. Until recent times the Duke had his private prison in Swansea Castle.

There was an Act of Parliament passed in 1762 to allot two parcels of open and enclosed land to the Duke and the Corporation. The Duke was to have 150 acres of the Town Hill, and the foreshore. The Corporation was to have the Burrows. Now the Duke has got it all. The Duke charges for sand, clay, and seaweed taken from the whole of the foreshore of Swansea Bay. A portion of the shore he sold for £25,000, and half of this was afterwards sold for £56,000, showing an unearned increment of over 400 per cent.

The Corporation have to pay the Duke for their

sewer outlets, and he charges a way-leave for the pipes that bring salt water to the baths. The construction of the pier by the Corporation reclaimed a considerable quantity of land from the sea. The Duke claims it as his, although the ratepayers' pier created it, and public land adjoins it. Thus the burgesses cannot gain access to the sea at certain points without committing a trespass. The Corporation brought an action and lost. It was held that, as the land had been reclaimed by artificial means, and not by accretion, it belonged to the Duke, although the whole cost of the reclamation was borne by the Corporation.

The Swansea Harbour Trustees have paid large sums for the Duke's foreshore, including £1,600 for his rights to a ferry across the Tawe, £500 for land for the continuation of the pier, and £17,500 for land for the Prince of Wales's Dock. In exchange for some of the land reclaimed from the sea he secured a wharf frontage on the South Dock, 1,300 feet long by 120 feet wide. The terms demanded by the Duke were so high in other cases that two companies were prevented from carrying out extensions that were greatly needed and would have been beneficial to the trade of the port. And the beautiful yellow sands of the bay are spoiled by the tipping of black rubbish which is carried on by the Duke's lessees, and the Bay is thus spoiled for bathing purposes.

Again, the Duke claims the bed of the Swansea river as his absolute property. As a result it is impossible to deepen it or improve in any way the navigation of the Tawe without gaining his permission and compensating him. The sewerage system was delayed for a very long time on that account. It was also proved by Mr. Hartland, a solicitor, that the Duke claims the bed of the

river Tawe for miles beyond the flow of the tide. He prohibits mining under it, or the throwing of a bridge across it, either altogether or only on payment of a way-leave. One colliery company had to close its works on account of the restrictions. A tin-plate company built a bridge, and the rent was £3, and a farthing a ton royalty to the Duke. The Graigola Colliery Company has built a bridge, the rent being £5, but with the stipulation that they are not to take goods across it belonging to any one else.

Again, there was a charge of five guineas for the building leases of artisans' cottages, and no assignment could be made without a licence with the signature of the Duke himself. This meant that the new leases had to be sent to London, and much delay was caused. The Duke's solicitors charged two guineas for each licence.

The unspeakable absurdity of a community being thus placed at the mercy of one man, on the warrant of a grant from the dead hand of King John, must be obvious to the simplest intelligence. Such claims are no real "rights" of property at all, but are a standing violation of the true rights of the whole people.

FAIRS IN THE PUBLIC STREETS

The Buckinghamshire County Council lately summoned the proprietor of a travelling cinematograph show for damaging the highway by driving stakes into the ground. A statute fair has been held in the main streets of Marlow for a great number of years, and up to the present efforts to get General Owen Williams to relinquish the charter, so that the fair might be removed from the streets, have been unsuccessful. In previous years much damage has been done to the surface of the road by the erection of booths, swings, etc. It is a strange

anachronism that in the twentieth century a private individual can claim the right to treat the public road as his property, if only for a single day in the year.

A CLAIM WITHDRAWN

At a meeting of the Reigate Town Council, in July 1910, the Town Clerk read a reply from Lord Monson's solicitors to the Council's application for his consent to the laying of an electric cable along Carlton Road, Redhill. They stated that Lord Monson was "disposed to grant" a licence under conditions. The conditions were that the Corporation were to pay Lord Monson a yearly rent of 10s. for every house connected with the cable, and pay all the costs, including the deed of licence, and the cable was only to be used for supplying electricity to the houses of Lord Monson's estate.

It was decided that the Town Clerk should inform the solicitors that these terms could not be entertained, and recommended that the occupiers of houses in Carlton Road should be informed that, in consequence of difficulties with the owner of the road, the Electricity Committee would be unable to supply current to the houses in question. At a subsequent meeting it was reported that Lord Monson's agent had written to the Council withdrawing his conditions, "understanding that the financial position of the undertaking would not justify the payment." Criticism of the original charge must therefore be tempered by the fact of its withdrawal, but the fact that it was ever put forward is significant. Such claims are as common as the withdrawal of them is rare.

THE BLOOMSBURY BARRIERS

For many years there existed bars and gates that obstructed certain streets on the Bedford estate in Blooms-

bury. They were erected to prevent people using the streets other than those who paid for their making and repair. But, long after this cost had been placed on the ratepayers generally, the barriers were maintained and caused very great inconvenience. The opposition to their removal by the London County Council came chiefly from 200 of the Duke of Bedford's leaseholders, who enjoyed greater quiet because of them, and they struggled hard to prevent their removal. The Marquis of Salisbury, then (in 1890) Prime Minister, in the course of the debate on the second reading of the Bill, said, "Being a frequent passenger across this particular district to the Great Northern Railway Station, I never approach these sacred gates and bars without internal imprecations against the persons who placed them there." The passage of the Bill, after this declaration, was assured.

LANDLORDS AND RAILWAYS

The *Law Times* of June 2, 1900, reported two cases in which railway companies and noblemen were the litigating parties. In the one, the Duke of Fife sought to compel the Great North of Scotland Railway to drain some of his land in proximity to the railway. When the land was bought, nearly fifty years ago, the conveyance stipulated that "the said railway company shall be bound and obliged to preserve the effective drainage of the lands in so far as the same may be interfered with by the railway works." This was done at the time, but the Duke wanted it done again. The Court, however, took the view that the duty was not without a time limit, and that that limit had been reached. They therefore decided that the Duke must drain his own lands at his own expense.

In another case at the same Court the Marquis of

Hastings applied for power to compel the North Eastern Railway Company to pay a way-leave rent to him for coals shipped by them at Blyth, in Northumberland. This coal, in its passage from the collieries to the staithes, was not carried over any land of the Marquis, and the contention of the Company was that he was therefore not entitled to any way-leave in respect of its carriage.

The question depended upon the true construction of an agreement for a way-leave lease, dated 1854, by the predecessor of the present Marquis. Until recently, no rent had ever been claimed or paid, except in respect of coal which had passed over some part of the said nobleman's estates.

But, apparently, that gentleman had been looking round for some means of increasing his income, and he found what he wanted in this forty-six-year-old agreement. The Court of Appeal and—higher still—the House of Lords have decided that that lease does give him power to charge way-leave, even for coals which may never go near his land.

KING-MADE "RIGHTS" IN A RIVER

The navigation rights in the river Ouse, for thirty-four miles between Bedford and St. Ives, are a monopoly in the hands of one man. The monopoly was granted by Charles I. Three years ago (in 1910) the case came before the Lords at the instance of the Huntingdonshire County Council, and three law lords out of five decided in favour of the successor in title to the original grantee. It is admitted that he made some improvements, and conducted a carrying trade for a time, but the river had then been closed for thirteen years. At a time when an improved system of inland navigation is coming to be

recognised as a national necessity such a monopoly cannot be allowed to stand in the way.

TWEED SALMON

The bed of a river being the property of the landlords, it, of course, follows that the fish in the river are theirs also. But it is not generally known that in at least one important case the landlords even claim the fish when they have left the river and gone out to sea for a change of water. The Tweed Commissioners are a statutory authority representing the landlords along the banks of the Tweed, which is celebrated for its salmon. And they are empowered to treat as poachers any of the Berwick fishermen who dare to take a salmon from the North Sea for many square miles near the mouth of the Tweed. The presumption is that the salmon caught there are Tweed salmon, and the landlords succeeded in getting a landlord Parliament to pass a law extending their rights of property even to the ocean itself. Some years ago the naval forces of the Crown were engaged as marine game-keepers against the fishermen who neglected to put back into the sea the sacred salmon that happened to get into their nets along with the other fish which the Duke of Roxburghe and the other Tweed owners have not yet branded as their particular property.

THE RIVER WYE

The freeholders of five parishes adjoining the river Wye have for centuries, possibly even since Doomsday, enjoyed by custom the right of fishing in a reach of the river seven miles in length, without any question by anybody, or any attempt on the part of the riparian owners to interfere with them. In most cases a custom that is thus exercised unchallenged for a certain time is

held to establish a right. But the superior right of the manorial owners of the river was there all the time, although it had not been asserted, and both the Court of Appeal and the House of Lords have recently upheld it. They declare that this immemorial custom has established no right. The fish belong to the superior lords because of some royal grant in the distant past, and thus the means of livelihood of a number of honest men are at one stroke taken from them.

LOUGH NEAGH

Lough Neagh, in Ireland, is the largest lake in the United Kingdom. It is twenty-four miles in length and sixteen miles in breadth, and it communicates with the sea by the river Bann. For several hundred years the fishermen in the neighbourhood have fished in Lough Neagh. No one has ever questioned their right until this year of grace 1913. There are 800 men engaged in fishing there, and it constitutes the chief or the whole of their living. According to the evidence brought before the House of Lords there was a grant made by James I., and confirmed by Charles II., of all the fisheries in the river Bann to the Lord Donegall of that day. Those rights are now leased from the Donegall Estate for £800 a year, and, on the authority of that royal grant, the Supreme Court has granted an injunction against Lough Neagh fishermen taking eels from the Lough. This judgment destroys the right of any one to take any fish at all from Lough Neagh except such as get a licence, and of course pay for it. Common sense says that a custom which has been so long in existence ought to create a right. And, as in the Wye case, this was the view taken by Lord Chancellor Haldane and two of the other law lords. They said that it was reasonable to presume

some antecedent creation of a corporation so as to be the possessors of a right which must have had some legal existence if it had been constantly used for centuries. But the other four law lords took a different view.

In all matters like this much depends upon the judges. They have to interpret the law, and, as many of them found their way on to the judicial Bench by service in party politics, they are apt to interpret it according to the principles of the party which they served as politicians, and by the head of which their appointment was recommended to the Sovereign. When the political antecedents of certain of the judges are known, their legal decisions, where rights of property are concerned, are fully explained. The effect of a general election is thus seen to extend much further than the life of a Parliament, for it often means that the judicial Bench is packed with reactionaries appointed for life, who create bad precedents which govern subsequent decisions, and strain the law for the defence of vested interests, however inequitable they may be, or however repugnant to the most ordinary common sense.

THE RIGHT TO THE ROAD

Another example of this is to be found in the celebrated case of Harrison *v.* the Duke of Rutland, which came before the Court of Appeal on December 3, 1892. Daniel Harrison was a working man who had objected to the Duke shooting grouse in proximity to the high road which ran across a Yorkshire moor, and, standing on the road with a handkerchief and umbrella, he had frightened the grouse from the guns and spoilt the Duke's "sport." The gamekeepers threw him down and held him down on the public road for twenty minutes. It was held that, although he had not stirred off the road, he was trespassing

on the Duke's land, the forcible restraint was justified, and five shillings was held to be sufficient compensation.

WATCHING RACE-HORSES FROM THE ROAD

In March 1911 a labourer was charged with trespassing on a public road at Broughton, Hants, by using it to watch the galloping of race-horses on adjacent land and reporting the result of his observations for the information of racing men elsewhere. An injunction was granted, and, if he did it again, he could be imprisoned for Contempt of Court.

A CASE AT BATTERSEA

On January 30, 1899, the Court of Appeal decided a case in which the Battersea Vestry asked for an injunction against an electric-lighting company which had, without authority and in defiance of it, torn up a street and placed its pipes underneath. The Court held that the conduct of the company was in every way utterly and entirely illegal in engaging men to tear up a public street in the night. But they refused the injunction because the pipes were then resting in the subsoil of the private landlord, two feet beneath the surface. This case clearly shows that the public have only the right to the surface of a road or street, and that the private property of the landlord still exists as to the land underneath. Well may the landlord be described as the "spoilt child" of the law.

TAXATION

One of the most flagrant examples of the way in which landlords have used their powers in the furtherance of their own interests is their shifting of the burdens of taxation from their own shoulders to those of the rest of

the people. The result is that, whereas land formerly paid the whole expenses of government, it now carries but a small part of it. Further, land which is put to a use inferior to its possibilities pays local rates only on the low rent actually received, and the land which is withheld from use escapes rates altogether.

Richard Cobden, speaking in the House of Commons on March 14, 1842, said: "For a period of 150 years after the Conquest, the whole of the revenue of this country was derived from the land. During the next 150 years it yielded nineteen-twentieths of the revenue. For the next century, down to the reign of Richard III., it was nine-tenths. During the next seventy years, to the time of Mary, it fell to about three-fourths. From this time to the end of the Commonwealth the land appears to have yielded one-half of the revenue. Down to the reign of Anne it was a fourth. In the reign of George I. it was one-fifth. In George II.'s reign it was one-sixth. For the first thirty years of George III.'s reign, the land yielded one-seventh of the revenue. From 1793 to 1816 (during the period of the property tax) land contributed one-ninth. From that time to the present one-twenty-fifth only of the revenue has been derived directly from land. Thus, the land, which anciently paid the whole of the taxation, pays now only a fraction of one-twenty-fifth, notwithstanding the immense increase which has taken place in the value of the rentals."

Besides this, it is notorious that their great country mansions, the "Stately Homes of England," are disgracefully under-assessed, as the following figures relating to the Dukeries, given by Sir Frank Newnes, will show:

Clumber (the seat of the Duke of Newcastle) and 121 acres are rated at £355 per annum.

Welbeck Abbey (the seat of the Duke of Portland) and 2,200 acres are rated at £2,200.

Rufford Abbey (the seat of Lord Savile) and 4,300 acres are rated at £1,950.

Thoresby (the seat of Earl Manvers) and 1,500 acres are rated at £855.

Serlby (the seat of Viscount Galway) and 400 acres are rated at £730.

The cumulative effect of all the foregoing examples of class legislation and class administration can scarcely fail to convince an unbiased mind that powers which have been used so unjustly should never have been entrusted to irresponsible individuals at all, and that the time has come for them to be taken away.

NOTE.—*The hardships disclosed by the three cases on pp. 65 and 66 have been removed or mitigated by the Law of Distress Amendment Act, 1908 (passed mainly in consequence of the pictures case), by which, subject to certain conditions, under-tenants and strangers can obtain for their goods the same protection as lodgers have enjoyed since 1871. But the law is still full of anomalies, all of which are in favour of the landlord and against the tenant.*

CHAPTER V

THE EXTORTION OF HIGH PRICES FOR LAND

The effect of monopoly is to give the power of levying an amount of taxation on the public for individual benefit which will not make the public forego the use of the commodity.

JOHN STUART MILL.

The new State valuation must be the basis for all plans of communal purchase. On this basis municipalities ought to buy the land which is essential for the development of their towns. And the State could also buy up land necessary to the policy of re-creating rural life in Britain.

MR. LLOYD GEORGE in the *Nation*, October 30, 1909.

WHEN the House of Lords threw out the historic Finance Bill of 1909–10, by an act which was the beginning of the end of their absolute veto and the precursor of the ultimate democratisation of the Second Chamber, it is a matter of common knowledge that hatred of its land clauses was their main actuating motive. And the part of those clauses which most enraged them was the provision for a national valuation of all land. Lord Londonderry denounced it as being designed to lead (horror of horrors!) to the nationalisation of land. And Lord Lansdowne quoted the passage from an article by Mr. Lloyd George which is cited above. "My Lords," he said, "that seems to me to open up a most disconcerting prospect. . . . These taxes are only justifiable if you believe that land is national property, and that it should be the business of Parliament to nationalise the land of the United Kingdom."

Any one who knows (and who does not?) the extor-

tionate prices which landlords charge when land is needed for public or semi-public purposes, can quite appreciate the fact that Lord Lansdowne should regard the establishment of a general valuation as "a most disconcerting prospect." But, in proportion as it is disconcerting to landlords, it must be full of hope for the payers of rates and taxes, who are steadily victimised by having to pay for the land that they may need for public developments, far more than it is really worth.

Where there is competition the free play of the laws of supply and demand may be trusted to prevent unfair bargains. If the buyer can take it or leave it, which is the necessary condition of all free contracts, and if, failing to get what he requires from one man, he can go to another with some chance of success, he will never be called upon to pay more than the true value. But the law has long recognised that, between the owner of land and the one who needs it for use, the ordinary laws of competition and the essential conditions of free contract do not apply. As well might we talk of a free contract between a man who is drowning and a man in a boat with power to save him. All that a man hath will he give for his life. And so the State provides that, where contracts are made under stress, they have no binding force and may be revised. The captain of a ship in distress is willing to agree to any terms that may be demanded for the towing of his ship to harbour, but the contract cannot be enforced. It may be re-opened, and only that is payable which the court may determine to be fair.

Dependent upon the cultivation of land for a living, and having no other means of life, the Irish peasants and farmers were driven to starvation, desperation, and crime by the cruel exactions of hard-hearted men, often

of an alien race and religion, and resident in another country. The State at length stepped in to protect them, and Fair Rent Courts were established. The same protection was afterwards granted to the crofters in the Highland Counties of Scotland, and the same principle has since been extended by the Scottish Small Landholders Act to the whole of Scotland.

Regarding the land as their own property, and unwisely permitted by the law to do so, landlords have naturally endeavoured to get the most they can for it—the highest possible rent if they let it, and the highest possible price if they sell it. In doing this they have merely acted on ordinary business principles, and, so far as motives are concerned, they are no different from the owners of other property. A manufacturer or a shopkeeper does the same, but the competition of other manufacturers and shopkeepers acts as a constant check upon unfair prices, and if an attempt were made by any one of them to demand unreasonable prices he would be soon brought to his senses by the loss of custom which could easily be transferred to other producers or retailers. No such easy way out of the difficulty presents itself in the case of land. It is true that even here there is some measure of competition where its ownership happens to be shared by a number of freeholders. But the great bulk of the land is not so distributed, and, in any case, it often happens that particular sites have a special value for certain purposes, and the owners of those sites are not slow to take advantage of their monopoly.

When the State wants a new naval base, as at Rosyth, or a new military training ground, as on Salisbury Plain, or an artillery range, as at Shoeburyness, or a fort or a lighthouse, the owners of the lands so needed have evidently a monopoly. The State wants the land in a

particular place, and the price demanded proves that the landlord is quite aware of the State's necessities and limitations in such cases.

When a municipality wants land to widen a narrow street, or to clear a district of slums, or to make a bridge or an embankment, or to construct a reservoir, or to make a park, or to establish or extend a drainage system, it is confined within narrow limits as to the land it must acquire. Only that land will answer its purpose, and consequently the owners of it are in the position of monopolists.

And similarly, when a railway company wants to construct a new line, or to widen an existing one, or when a canal company wants to open a new waterway, it is obvious that the laws of monopoly strictly apply. The land must be along a certain definite course, which is determined by the present or future distribution of the population, and by a consideration of the need to minimise the engineering difficulties which will have to be overcome.

In all these cases it has been proved, by a long and painful experience, that the owners of land are unsparing in exercising to the fullest possible extent the fortunate and privileged position in which they find themselves, and they invariably demand, and almost invariably succeed in getting, much more than the ordinary market value of the land. A few facts in proof of this statement will therefore not be out of place here. Little comment is needed. The figures speak for themselves.

THE NAVAL BASE AT ROSYTH

When the Government came to the conclusion that a new naval base was needed on the East Coast they decided that it should be formed on the north shore of

the Firth of Forth. The land they chose was ordinary agricultural land belonging to Lord Hopetoun (afterwards created Marquis of Linlithgow). They were called upon to pay eighty years' purchase of the rent, the gross rent, which was about four times its true value; and when the present President of the Land Union, Mr. Pretyman, M.P., defended the transaction as a member of the Government, the best argument he could advance in support of it was that it would have cost more to have put the Military Lands Act into operation. In that case so much the worse for that Act.

THE NETHERAVON ESTATE

Fourteen years ago the Government bought the Netheravon Estate, in Wiltshire, from the then Chancellor of the Exchequer, Sir Michael Hicks-Beach. The War Office Return showed that the gross rent was £2,531, and the net rent was £1,720, without any deductions for repairs, land-tax, insurance, and management or property tax. The price awarded was £93,411. And yet a neighbouring estate belonging to Lord Ashburton, which was greater by over 2,000 acres, and the gross rental of which was much more than twice as great, fetched only £98,000 in the open market just before the Netheravon Estate was acquired by the War Office.

For the purpose of the death duties Sir Michael Hicks-Beach was himself chiefly responsible for making a bargain with Sir William Harcourt, when the Finance Act of 1894 was being discussed in the House of Commons.

The bargain was this—that in the case of agricultural land, and that land alone, it should not be taxed according to its value in the market at the time of death, but

taxed on a special scale, which consisted in taking it at not more than twenty-five times its net rental.

If this rule had been applied in finding out the purchase price of Netheravon, the taxpayers would have paid £50,000 less than they actually had to pay. But of course taxation is one thing, and purchase is quite another.

MAPLIN SANDS

These sands, lying on the East Coast, near the mouth of the Thames, formed part of the manors of Great and Little Wakering. The whole rights of the two manors had been bought about 1880 for the sum of £9,100. Yet, when the sands were taken for the Shoeburyness artillery range, one of the experts valued them for the vendors at £192,000, and another for £141,606. Bearing in mind the price paid for the whole of the manorial rights thirteen years before, the valuer for the Government, Sir Whittaker Ellis, put the value down as £10,000, and this seems a very liberal amount. The arbitrator awarded £32,500, and of course the whole of the landlord's costs were added.

About the same time the Earl of Dalhousie's trustees demanded £88,500 for the Barry Links, near Carnoustie, but the War Office got off by paying a little less than half that sum.

THE THORNEY ESTATE

When the Duke of Bedford, in 1910, decided to sell the Thorney Estate (which was part of the spoils of the monasteries) the Board of Agriculture opened negotiations to buy it for small holdings. The Duke had published a book showing that the rents were so low that they hardly covered the outgoings. But the price demanded for this unremunerative estate was £750,000,

and the negotiations fell through, as the Board would have had to incur the odium of raising the rents in order to make the purchase profitable. This case shows that for many years this estate had been rated for local purposes at a value far beneath its true value.

THE FORT AT KILCREGGAN

Fifty-two acres of land, partly foreshore, were bought by the War Office for a fort at Kilcreggan on the Clyde. They were previously rated at £60 per annum. The taxpayers were forced to pay £14,500 for them, or 240 years' purchase.

A TORPEDO RANGE

In 1908 the Admiralty purchased a site near Greenock of about 10 acres of land, with a foreshore, as a site for a Torpedo Depot in connection with a new Torpedo Range. The value assigned to that site for rating was £11 2*s.* a year, but the Admiralty had to pay £27,225 for it, or 2,452 years' purchase of that annual value for rating.

LIGHTHOUSES

In 1883 the Northern Lights Commissioners bought five acres of land on Ailsa Craig for a lighthouse. The chief value of the island was for quarrying purposes, and its entire rateable value was only £30. And, as this amount has not been reduced, it may be inferred that the previous rateable value of the five acres was nil. But the Commissioners had to pay for that small site the sum of £1,550, or more than fifty times the rateable value of the whole island.

The Commissioners acquired in 1900 a small site on the Bass Rock. The rateable value of the whole Rock was not reduced by the severance, and presumably it had no

separate value before the lighthouse was built. But the landlord receives £40 per annum in feu duty for his leave for the lighthouse to make navigation safer.

Hysgeir is the largest of a cluster of rocks on the West Coast of Scotland. It was uninhabited and contained no water. In summer it is covered with short grass and the sea pink. Its rateable value was nil. When the Commissioners bought it for a lighthouse, in 1902, they failed to get it by voluntary arrangement and had to use their compulsory powers. And the blackmail (strictly legalised) paid to the landlord was over £600.

HOW LOCAL AUTHORITIES ARE HANDICAPPED

For one purpose or another local authorities are constantly needing to acquire land. They ought to be able to tell the value by simply turning over the leaves of the rate book. At present much of it does not appear in the rate book at all, and the whole of it is rated on the rents received instead of on its real worth. Consequently, although they have powers to compel its sale, subject to restrictions and limitations that ought to be removed, they must come to terms with the landlord or incur the heavy expenses of an Arbitration Court, with its highly paid counsel and expert witnesses, whose estimates are always coloured according to the side by which they are engaged.

LEEDS

In 1903 the City Council of Leeds bought 395 acres of agricultural land near Swindon Castle for water works. The Corporation valuers assessed the value at £27,000, which was a very liberal capitalisation of the rateable value. The landlord asked £196,000, and, of course,

found experts ready enough to swear to that figure. The arbitrator struck off nearly £150,000 from his claim, and awarded £46,489. If the landlord were rated on the value he put on his land he would soon be brought to reason, and such preposterous claims could never be made.

LEICESTER

Leicester bought 225 acres of Lord Lanesborough's land for a reservoir. He asked £61,300, but the arbitrator struck nearly £34,000 from his claim.

LIVERPOOL

Liverpool paid to Lord Sefton £250,000 for the land for Sefton Park. Mr. Shelmerdine, the City Surveyor, told a Parliamentary Committee that its agricultural value was £1,350 per annum, and that Lord Sefton had only paid rates on that amount.

CARLISLE

In the beginning of 1910 the Carlisle Town Council found that the cost of their Feltsdale Water Scheme had exceeded the amount authorised by £34,110, and Sir Benjamin Scott referred to the purchase of land at the Feltsdale Springs from the Earl of Carlisle. The extreme value put on this piece of moorland by the valuers was £3,000. What was the Committee's surprise, therefore, when they found that the demand made by the owner was £33,000! This one item alone was almost enough to account for the difference between the estimated and the actual cost of the whole scheme.

HORSHAM

The education authorities at Horsham decided to build a school. The site selected was part of the old

common. A hundred years ago the inhabitants had free access to it, and customary if not proprietary rights upon it. It was then waste land. But the price asked for it when the school was needed was £1,000 an acre.

CARNARVON

The Carnarvon Town Council decided to build some working-class houses. The land they selected was rated at £1 12*s.* 6*d.* per acre. But the price demanded was £600 per acre.

Land was also wanted for a cemetery. It was rated at £2 an acre. Twenty-five years' purchase of that amount is £50, which is a fair price if it is fairly rated. But the landlord's price was £847 an acre.

CHESTERFIELD

The Chesterfield Gas and Water Board bought a piece of land at Brampton in 1908. The owners' lawyers contended that although it was only worth £779 for ordinary purposes it had a special value as being suitable for a reservoir. This special value was £1,615, and Mr. Justice Bray held that the larger amount must be paid.

GLAMORGANSHIRE

The Glamorganshire County Council published a number of cases showing that it has had to pay from £400 to £1,000 an acre for school sites for land worth £60 to £200 per acre. And the effect of these transactions is sometimes seen in increased demands made when land is required by individuals. The owner, for instance, of a large and increasing works, affording employment to several hundred men in West Wales, says, "Before I began to develop my works, land in the immediate district could be obtained on fairly reasonable terms for house-building. The time

came when I wished to extend my works, and I was promptly asked £500 an acre. That land could not be used for building houses; it was suitable only for industrial purposes. I protested, but the landlord said the price was quite fair, for £500 an acre had been paid for the site of the new school."

HARROGATE

Harrogate had to pay £1,200 an acre for a cemetery which was only rated at 5s. per acre; 4,800 years' purchase.

FROME

Frome, in Somerset, widened a dangerous corner where several accidents had occurred. The improvement was delayed for years because of the high price demanded. The tiny piece of land cost £87 10s., and besides this the Council had to pay £6 13s., the cost of the valuation, £10 for the conveyance and solicitor's costs, and of course had to rebuild the wall upon the vendor's land.

WEST MALLING

The West Malling Council, in Kent, carried through a drainage scheme, and the price demanded as way-leave for a sewer half a mile long was £15,000. The arbitrator thought that was £13,200 too much. The pumping site cost £100, and the law costs of its purchase were over £50. The scheme had been delayed for five years because of the difficulties to be overcome, difficulties such as are almost always put in the way of public improvements when landlords see their chance of making a good thing for themselves out of the needs of the community.

STEEPLE MORDEN

The Parish Council of Steeple Morden, in Cambridgeshire, decided to have a village playground. Unsuitable

land, rated 19*s.* an acre, and adjacent to land which had been recently sold for £30 an acre, was offered to them. After nearly six years' negotiations they got the power to buy four acres of land for £287, worth according to recent auction prices of adjoining land no more than £160. The inquiry costs and arbitrators' fee brought the cost well over £300, and it was eight years from the time they commenced negotiations before they entered into possession and were able to make the recreation ground.

GLASGOW

In 1908 the Cathcart School Board purchased rather less than an acre and a half as the site for a school near Cathcart Bridge. The value assigned to it for rating was £3 10*s.* 10*d.* a year, but the School Board had to pay £3,270 10*s.* for it, or more than 920 years' purchase of that annual value for rating.

The Glasgow Corporation required for an improvement sixty yards of ground. £700 was asked for it, and £122 was awarded by the arbiters. The expenses of the purchase, however, paid by the Corporation, amounted to £1,052—£407 for the claimant, £365 for the arbiters, and £280 expenses incurred by the Corporation. There was another case in which £1,000 was claimed, and £279 was granted; while the expenses amounted to £460.

STEEPLE ASHTON

Steeple Ashton, in Wiltshire, was in sore need of a proper water supply, so the Rural District Council decided to buy an acre of land for the necessary works. The land there is worth about £60 or £70 an acre, but the price asked by the owner was £970 an acre, and, in certain circumstances, a royalty on the water in addition.

BURY

At Bury a couple of cottages were bought for widening a roadway, at a cost of £115, and the arbitration expenses reached £43 14*s.* 4*d.* Then in the case of the Water Board there were eight arbitrations, and it was agreed that only one arbitrator should sit ; no counsel or solicitors were employed, and only one witness in each case was called. Yet the cost of buying land to the value of £10,525 reached £836. In another case a farm was bought for £1,670, and the cost of the purchase amounted to £288. A small country public house was valued at £1,780, and the arbitration expenses amounted to £608. However absurd the claims of the owner might be, the Corporation had always to pay the cost.

PLYMOUTH

In 1892 Plymouth bought the Beaumont House and Grounds for a park, in area about nine and a third acres. The property was rated on an annual value of £160, but the Corporation had to pay 162 years' purchase of this, or £26,000.

DEVONPORT

Some of the worst evils of landlordism are present in Lord St. Levan's leasehold town of Devonport. The following is an extract from a speech by the then member of the Borough on February 10, 1899, in the House of Commons. He said :

" In the middle of my constituency, between the municipality of Devonport and the township of Stonehouse, which is added to the municipality of Devonport for Parliamentary purposes, there is a very narrow arm of the sea, which is about three-quarters of a mile long, or

perhaps a little less than that. However, that arm of the sea separates Stonehouse and Devonport, and it also separates Devonport and Plymouth, and over it there is a bridge. Now, the whole land of Devonport was owned by one landlord, and the whole land of Stonehouse was owned by another landlord, and the ancestors of these two landlords, about 100 years ago—in 1798—got Parliament to pass an Act which provided for the building of a bridge, at their expense, over that arm of the sea; and by this Act of Parliament a toll was to be charged for passage over that bridge, and, in addition to that, no one was to be allowed to use any other means of communication, either for one side or the other, except by that bridge. I will undertake to say this, that the whole cost of the building of that bridge and of the approaches thereto could not have amounted to more than £5,000. Since I have been a candidate for Devonport, and that is now eight years, these two successors to the two landlords who constructed that bridge have refused £120,000 to free it. There, sir, is a case in which we have got an absolute blackmailing of the industry of that place by the means of an artificial barrier put up between the two halves of one town which I have the honour to represent." If the landlords had to pay rates upon their own assessment of the bridge they would probably put the figure considerably lower than £120,000, and the community could then acquire it at a fair price, and carry out a much-needed improvement.

THE THAMES EMBANKMENT

The people of London were taxed to convert a muddy foreshore into the beautiful Thames Embankment, which enhanced enormously the value of all the Thames frontages. The land on which the London School Board

Offices were built was sold for £8,000 a few years before the Embankment was made. The School Board had to pay £26,000 for it. The ratepayers paid for the making of this Embankment, and one owner took advantage of that fact to charge them a profit of £18,000 for that single site.

Not only in the prices charged but in the conditions imposed, the ratepayers are often "in a cleft stick." The St. Albans School Board, after some trouble, secured a site from Earl Verulam, and this was one of the conditions:

"The Board shall not be entitled to any right of light or air which would restrict or interfere with the free use of the adjoining land of the Earl of Verulam, or other purposes, and the conveyance to the Board shall be framed so as expressly to exclude the grant of any such right."

A NORTHUMBERLAND SCHOOL

The Duke of Northumberland is one of the stoutest defenders of the rights of property, and this is how he interprets them. About three-quarters of an acre of land in East Denton was acquired from him in 1909, by the Northumberland County Council. It had no residential value, and, when it was severed from the farm, the rent was reduced by 30*s.* per annum. Apparently, therefore, £45 was the very outside agricultural value. The price asked was £1,089. The arbitrator knocked off nearly £400 of this as an untenable claim. And the Duke got £698 15*s.* 6*d.* for the site which was only worth £45 as farm land. And then comes the little bill of costs to be settled by the ratepayers. Here it is, and it is only typical of all such cases:

	£	s.	d.
Arbitrator's fee . . .	15	15	0
Arbitrator's solicitor's fee .	5	5	0
Vendor's solicitor's charges .	19	14	4
Purchaser's solicitor's charges .	19	5	0
Stamp duty	3	10	0
Outlay, etc.	1	16	6
	65	5	10

No wonder that public authorities are often willing to pay more than the proper price, in order to avoid the expenses and uncertainties of arbitrations. For arbitration under the Lands Clauses Act of 1845, says the *Spectator*, means that two gentlemen are usually named arbitrators, one for each side, are paid about fifty guineas for valuing the property, and, of course, they disagree on the amount. These two then appoint an umpire, who, on a day foreordained, sits to hear the cause. Learned counsel, two on each side, separated by a long table, address him and examine witnesses at a fee of fifty guineas each per day on the average. Expert witnesses fill up the table, and receive, for viewing the *locus in quo* and giving their opinions as evidence, about £40 each. The expenses, too, of solicitors, surveyors, ordinary witnesses, and others, mount up gaily each day, so that very few important arbitrations are completed at a cost of less than £1,000, and many cost very much more.

When all the speeches are finished, when every witness for the seller has sworn that the property is nothing less than a gold-mine, and when every witness for the buyer has asserted that it is almost unsaleable, then the umpire gives his award in writing. And in nearly every case the whole of the ruinous costs are ordered to be paid by the public authority which has had the temerity to fail to agree to the landlord's own terms.

The whole thing is stupidly expensive and unbusiness-like, and yet it may be avoided by the very simple expedient of taking the value of land as accepted for taxation to be the purchase price whenever it is bought by a public authority, subject, of course, to additions for such things as special damage caused by severance.

RAILWAYS

We have seen that the central Government and local authorities are treated as "fair game" by landlords, and we shall also see that railway companies are treated in the same way. A recent Government Return has shown that of the total nominal capital of these companies nearly £200,000,000 represents watered stock, as distinguished from paid-up capital. And, of the paid-up capital, a very large amount represents the inflated prices, which the companies have had to pay for the land they have acquired for the carrying on of their undertaking.

The late Mr. Samuel Laing, M.P., once said that the companies had had to pay at least £50,000,000 above the market value of the land. In the course of the extensions which have taken place during the thirty years which have since elapsed, that amount must have been considerably increased.

So great were the complaints at the beginning of the railway era that a Select Committee of the House of Lords was appointed in 1845 to inquire into "the practicability and expediency of establishing some principle of compensation to be made to the owners of real property whose lands, etc., may be compulsorily taken for the construction of Public Railways; and also further to take into consideration the question of severance and that of injury to residences." One

of the great landlords, Earl Fitzwilliam, was appointed chairman, and it was like a committee of very successful foxes considering whether foxes as a general rule were or were not robbing too many hen-roosts or seizing too many geese.

Not much good could be expected to come from such a Committee, but its report is, at any rate, illuminating and instructive. For instance, they gave it as their opinion " that a very high percentage, amounting to not less than 50 per cent. upon the original value, ought to be given in compensation for the compulsion only to which the seller is bound to submit." And they said, " There are many cases in which it is necessary to consider the land not merely as a source of income, but as the subject of expensive embellishment, and subservient to the enjoyment and recreation of the proprietor." Then they go on to say: " Public advantage may require all these private considerations to be sacrificed, but, as it is the only ground upon which a man can justly be deprived of his property and enjoyments, so, in the case of Railways, though the public may be considered ultimately the gainers, the immediate motive to their construction is the interest of the speculators, who have no right to complain of being obliged to purchase, at a somewhat high rate, the means of carrying on their speculation. It is also to be observed that the price of the land purchased, and the compensation for that which is injured, form together but a small proportion of the sum required for the construction of a railway, so that no apprehension need be entertained of discouraging their formation by calling upon the speculators to pay largely for the rights which they acquire over the property of others."

We thus see that this House of Lords Committee actually justified high prices because the makers of

railways, like the initiators of most other enterprises, expect to make a profit out of them, and because, as the further expenses of construction and working are necessarily heavy, they considered that an addition to the ordinary market price of the land would not be an appreciable hardship. Although such considerations govern landlords' expectations and demands as quite a general thing, it is none the less interesting to have them set down in black and white for them to be pondered over and understood.

Let us now turn to some of the evidence given by witnesses for the companies. Mr. Parker, law agent to the London and Birmingham Railway, said, "We always pay a great deal more than market value. That is conceded on all hands."

Mr. Duncan, solicitor to the Eastern Counties Railway, said that it was the custom to make agreements to give great land proprietors more than the value by way of getting their assent to the Bill. It was done by every railway company, more or less. "There is no doubt," he said, "that influential parties by opposing Bills, and by railway companies settling with them in order to rid them of their opposition, do sometimes receive much larger compensations than they are entitled to, or would otherwise receive." He said that the compensation depended on the weight of the landowner's opposition and influence. "If we have any fear that he is likely to defeat the Bill, I think we look at that as a special case for a settlement, and in settling we are not very nice about the price that we pay; we give way to what is asked rather than continue to stem opposition with the chance of defeat." The small landlords never petitioned singly against Railway Bills, and very seldom at all, so their opposition had not to be bought off with fancy prices.

The Eastern Counties Railway Company bought off the opposition of one "considerable proprietor" by paying him £5,000 on account for some land which they expected they would need. The deposit was as much as they would have paid under a jury verdict. Then they altered their plans, and their line did not go within forty miles of the said land. But the landlord kept the £5,000.

Mr. John Clutton, agent to the South Eastern Railway, paid Lord A., on the Dover line, £11,025, or £400 an acre, for twenty-seven acres of arable and meadow land. The costs, all paid by the company, amounted to £2,425. "It is only parties who have some influence in opposing railway companies, or some means of giving trouble in Committee, that are settled with before the passing of the Bill."

As valuer to the company he always put a high value on the land required, then he added 25 per cent. for a forced sale, and another 50 per cent. for severance. And he stated that the formation of the company had increased the value of all the farm-land in the Weald of Kent by at least two years' purchase.

Mr. Edward Driver said that the Brighton Company paid large sums for the right to tunnel, even though the tunnels did not deteriorate the value of the land. "A man who has been quiet because he has no money to go to Parliament, does not get so much for his land as a neighbour who has money and has been able to oppose. There were many instances of the company paying to stave off opposition." "The Directors sit down with my valuation in their hands, and they add to it what it will cost them to go to a jury with those proprietors, and if they will accept that sum they give it them, beyond the value of the land." The agent's method was

to multiply the rent by 33 to begin with, to multiply it by 8¼ for compulsion, and by 16½ for severance. The estimated costs of arbitration were then added to the total thus obtained. He also said that the costs of surveyors and the legal expenses frequently came to 10 per cent. of the value of the land. The average price paid between Shoreham and Chichester was £220 to £230 per acre, but the average agricultural value was less than £60 per acre.

Mr. Driver also said he bought the Great Western Railway land from London to Maidenhead, and for about sixty miles on the main line. If the rent were 35*s.* an acre he would call it forty and multiply by 33, 8¼, and 16½, as in the case of the Brighton line. Nine people got £136,000, which was ten times the value.

Nearly fifty years later, in 1892, the late Sir Edward Watkin, chairman of the Metropolitan Railway, told the shareholders that some of the agricultural land bought for the extension to Aylesbury cost about £300 per acre, and he said that only twice in his long and varied experience as a promoter of railways had he known instances in which the owner did not exact the utmost possible price for land taken for railway purposes. In one of these the great Sir Robert Peel was concerned. A company which was now absorbed in the London and North Western system offered the great statesman £100 an acre for some land near Tamworth. "I think," he replied, "that I ought to pay you for improving the value of my estate." The company was only able to get him to accept £50 an acre. All honour to Sir Robert, *rara avis* indeed!

In 1899 Lord Portman claimed £400,000 for the part of his estate required for the Marylebone terminus of the Great Central Railway. The arbitrator thought £260,000 was enough, and we may be sure it was.

Another way in which the railway companies have been handicapped is this. They have found it desirable to conciliate the great landed interest by offering directorships to landlords who had no qualifications at all except their titles, their position in Parliament, and their landed property. And so we find Sir R. W. Perks, legal adviser to several great companies and a very shrewd railway authority, saying, "As a rule the average English railway director knows very little about the details of his line. . . . Directors are chosen because of their Parliamentary or territorial influence, and even now some of the directorates of the English railways are crowded with titled directors who know little of business life, still less of the democratic requirements and rewards of the present day."

There are widespread complaints among traders as to railway rates being too high, and growing discontent among some hundreds of thousands of railway employees that wages are too low. The companies say that they cannot reduce the rates, or raise wages, and, in connection with the latter, there are already signs of a labour unrest that may paralyse the industries of the country, bring everything to a standstill, and produce a crisis the like of which the country has never experienced. It is as well to know that a very great part of the difficulty is caused by the exactions of landlords in the past, the payments made to them under stress figuring to-day as if it were genuine capital. There is absolutely nothing to show for it, and yet interest has to be earned on it at the expense of traders, passengers, and employees alike.

All this is but part of the price that has to be paid to-day for the folly and weakness of our ancestors and ourselves in allowing land to be treated as the property of private interests.

CHAPTER VI

LAND VALUES AND THE UNEARNED INCREMENT

The ordinary progress of a society, which increases in wealth, is at all times to augment the incomes of landlords—to give them a greater amount and a greater proportion of the wealth of the community, independently of any trouble or outlay incurred by themselves. They grow richer as it were in their sleep, without working, risking or economising. What claim have they, on the general principles of social justice, to this accession of riches?

JOHN STUART MILL,
Principles of Political Economy, Book v., Ch. 2, § 5.

Will you bandy accusations, will you accuse us of overproduction? We take the heavens and the earth to witness that we have produced nothing at all. In the wide domains of created nature circulates no shirt or thing of our producing. He that accuses us of producing, let him show himself, let him name what and when. We are innocent of producing; ye ungrateful, what mountains of things have we not, on the contrary, had to consume and make away with! Mountains of those your heaped manufactures, whatsoever edible or wearable, have they not disappeared before us, as if we had the talent of ostriches, of cormorants, and a kind of divine faculty to eat? Ye ungrateful—and did ye not grow under the shadow of our wings? Are not your filthy mills built on these fields of ours; on the soil of England, which belongs to—whom think you?

THOMAS CARLYLE, *Past and Present.*

I have a bit of lowland at Greenwich, which, as far as I can see anything of it, is not money at all, but only mud; and would be of as little use to me as my handful of gravel in the drawer, if it were not that an ingenious person has found out that he can make chimney-pots out of it; and every quarter he brings to me £15 of the price of his chimney-pots, so that I am always sympathetically glad when there is a high wind, because then I know my ingenious friend's business is thriving. But supposing it should come into his head, in any less windy month than this April, that he had better bring me none of the price of his chimneys? And even though he should go on, as I hope he will patiently (and I always give him a glass of wine when he brings me the £15), is this really to be called money of mine?

And is the country any richer because, when anybody's chimney-pot is blown down in Greenwich, he must pay something over to me before he can put it on again?

JOHN RUSKIN, *Fors Clavigera.*

It will be thought an intolerable thing that men should derive enormous increments of income from the growth of towns to which they have contributed nothing—that they shall be able to sweep into their coffers what they have not produced—that they shall be able to go on throttling towns, as they are well known to do in some cases. It is impossible to suppose that the system will not be vigorously, powerfully, persistently, and successfully attacked.

LORD MORLEY, speech at Forfar, October 4, 1897.

Those who toil not, neither do they spin, whose fortunes have originated in grants made long ago for such services as courtiers render Kings, and have since grown and increased while their owners have slept, by the levy of an unearned share on all that other men have done by toil and labour to add to the general wealth and prosperity of the country.

JOSEPH CHAMBERLAIN, speech in 1883.

MUCH learned controversy has taken place concerning rival theories of rent, Ricardian and other; but the main facts which are common knowledge are sufficient for all practical purposes. Whatever may be the factors which determine its amount, economic rent may be simply defined as the annual price which is paid for the use of land.

But the question at once arises, does the term land include or exclude the improvements placed upon it, or made in it, in the course of the centuries since it was reclaimed from its wild state? For, if it be taken to exclude them all, then economic rent either does not exist at all in the case of some agricultural land, or is at any rate considerably less than the rack-rent. If, for instance, we imagine that all farm buildings were burned to the ground, all land drains filled in, all farm roads destroyed, all fences rased, and the land returned to a state of nature, it is easy to see that, to bring it back to its present state, it might sometimes cost as much as, or nearly as

much as, or even more than the whole of the amount of its present market value.

Arguing this way, therefore, we find that it is often claimed by apologists of the landlord system that agricultural land is a manufactured article, and that economic rent of such land is a figment of the fancy. They contend that a farm is a manufactured product, and that the profits of the landlord are the profits of his ownership of the improvements which have been made in it rather than of his ownership of the site. It is well, however, to note, in passing, that even those who deny or minimise the value of unimproved land in the case of farm-lands, are constrained to admit that there is a substantial unimproved value in the case of town-land. Upon examination it is equally clear that agricultural land values are a substantial reality too.

It is quite true that they are so mixed with improvement values that it may be difficult, or even impossible, to apportion them with mathematical exactitude. Fortunately, there is no necessity for doing so. For all practical purposes improvement values merge into land values after the lapse of time, and, even if they did not, that would be no argument in favour of private property in land. If A's dog eats B's chop, B cannot claim the dog as his property merely because he cannot extricate that which was unquestionably his property before it became an inseparable part of the dog itself. If A's land swallows B's improvements, the land does not become B's property on that account. The sovereign right of a community to the control and ownership of the whole of the natural resources of the country upon which it has established itself, can scarcely be set aside because individual members of the community have improved them. When it decides to resume that control,

as it has the right as well as the power to do at any time, it should of course compensate any interests which have grown up with its permission. It should compensate for the improvements, and also for the land, paying the true market value at the time of the resumption. Upon doing this, it would do no wrong whatever. And, acting thus, it would act much more justly than private landlords themselves have done.

For, by their practical (though not absolute) ownership of land, they have seized countless millions' worth of improvements which have been placed upon it by their tenants, and they have done so without paying a farthing in compensation for them. Those improvements have become theirs as part of the rent of the land, under an unfair system, it is true, but under which they have not hesitated to assert their so-called rights of ownership to the fullest extent that the laws, made by men of their own class, have allowed.

In considering what is land value and what is improvement value, the element of time must always be kept in mind. The practice of the State in regard to patents or copyrights is one illustration. An inventor or author is given a certain definite time of absolute ownership in an invention or book, and in the course of that time he is presumed to be able to reward himself for his brainwork in bringing them into being. At the end of that time his exclusive right of ownership ceases, although the value of his work continues. He has had his reward. And so with a house constructed by a tenant under the leasehold system. In consideration of a low fixed rent payable for a certain term of years, he is supposed to be able to recoup himself for his outlay, and, if the term be of reasonable length, there is no doubt that he does so.

In the same way it must be assumed that, beyond a certain moderate period, as to which no hard-and-fast line can be drawn, the value of improvements (whether made by the owners, or made by the tenants and legally confiscated by the owners) merges into the value of the land itself.

To this extent, not for the purpose of confiscating anything, but in order to discover the true character of land values, there is no reason why the principles of the leasehold system should not be applied to agricultural landlords themselves, by assuming that their long possession of the land has enabled them to recoup themselves for any expenditure they or their predecessors incurred in draining, or fencing, or road-making, or the erecting of farm buildings, where such improvements have been made for more than a certain time, as, for instance (say) fifty or sixty years.

In that time they have charged rents which have probably covered both the interest on the capital sums expended, and a sinking fund as well for the repayment of the principal. The tenants' rents have therefore paid for all the landlord's improvements which were made prior to (say) the last two generations. And not only this, but, in most cases, they were paid for at the time by the saved accumulations of past rents. For the landlords, therefore, to claim that *all* improvements are true improvement values and not land values, is to make a claim which cannot for a moment be sustained. Deducting, therefore, only the value of those improvements of more recent construction, as to which the rents charged may not have recouped the original cost, we find that the real land value even of agricultural land is much greater than it is usually assumed to be.

If a professional valuer were called upon to separate

unimproved from improved values, he would of course look at the matter in a different way. In the case of a leasehold estate, for instance, where the leases have fallen in, and all the houses have reverted to the ground landlord, a valuer would count house values as improvement values. But in reality they are rent of land. They are now the landlord's property, although they were made by the tenant, simply because the land belonged to his predecessor in title when the leases were granted. They represent rent of land, pure and simple. They are rent as surely as is the annual ground rent that is paid in cash. The fact that they were paid in kind and not in cash does not affect their real character in the slightest degree. In the same way, and for similar reasons, the real economic value of agricultural land includes the value of many improvements, which have been long since paid for out of the rents received, although their usefulness still continues.

The exact amount of economic rent which is enjoyed by the landlords it is impossible to tell. All calculations so far made are guesswork. We must await the results of the national valuation for an approximate record, and even that valuation will exclude a very large amount that is, strictly speaking, tribute payable for the use of land. Whether the total tribute amounts to £100,000,000, as is affirmed by some whose palpable object is to make it appear comparatively small; or £250,000,000, as is affirmed by others who are apt to err at the other extreme; or, as is more likely, some amount between the two—it is sheer tribute and nothing else. It represents no goods supplied and no services rendered. It is simply the price which a landless nation pays to a minority of its members for their permission for the rest to work and live.

As such it is unearned income. Of course, the money which bought the legal right to appropriate land rent for private purposes may have been, and undoubtedly often has been, money that was itself earned. But that is only to say that earned money has been invested to secure the power to take unearned money—unearned, that is to say, by its new owners. This is no condemnation of men for buying land so long as the law permits them to do so. Whatever condemnation there is applies to the system, not to the individuals, who naturally take advantage of it so long as it exists.

THE SIMPLE CASE OF MINERALS

A man buys the mineral rights of an estate. He may have honestly earned every penny of the purchase money by his own labour in the rendering of valuable services to his fellows. It represents work done by himself. But when he has invested it in buying a coalfield everything changes. He is no less worthy a man than he was before, but the character of his income is altered. He need not pay a farthing toward the cost of sinking the shaft, or of providing machinery for cutting the coal, or hauling it to the surface. If he does, it is as a capitalist and not as a landlord, and in such a case (but such cases are extremely rare) he is entitled to a reasonable return on his outlay. Acting as landlord, his function is simply this : to provide no working capital at all, and to take no part in the work of the mine, but to charge a certain dead rent, and a royalty on all the coal won by the capital of his tenants and by their employees. The question, therefore, is, What does he give for the money he takes ? And the answer is, obviously and indisputably, absolutely nothing. He provides no capital, he renders no labour, and it certainly cannot be

claimed that he provides the coal. Nature supplied that, perhaps before the first man was born. He does nothing and he supplies nothing, and, in strict justice, he is therefore entitled to nothing. The dead rent, the way-leaves, and the royalties, which are the perquisites of his position, as legal owner of the raw material, are entirely unearned by him. They belong to the rightful owner of the coal, the community, and not to him. And they ought to be received and spent by the community, and not by him.

Mineral royalties are perhaps the simplest case of unearned wealth, but the same reasoning applies equally to the ground rent of a building site, or the economic rent of a farm, and to a rent which is payable for the landlord's leave to shoot the game in the woods, and the deer or the grouse on the moors, or to catch the fish which swim in the rivers and the lakes.

UNEARNED INCREMENT

And now we come to a term which has given rise to much controversy, the expression "unearned increment," which was used by John Stuart Mill to describe the increased value of land which arises from causes in which landlords, as such, have taken no part. That land rises in value because of an increase in the population, or because of public expenditure, or even because of private expenditure on adjacent sites, is a fact that is not, and cannot be, denied. But, it is said, other property besides land rises in value for reasons quite outside anything that its owners may have done. Land, it is said, is not the only thing which is liable to an unearned increment. This is, of course, quite true. None the less, there is a vital difference between the two cases which is generally overlooked.

A man buys a picture. After a time he may perhaps sell it for ten times the sum it cost him. The difference is an unearned increment, but it is an unearned increment of an *earned* value. The original value of the picture represented the actual labour of the artist who painted it. That is the starting-point. And so it is with all products of human labour, but not with land. The same investor may buy a piece of land, and after a time he may sell it for ten times the sum it cost him. This is unearned increment of a value which is itself *unearned*. That makes the whole difference between the two cases. The unearned increment of land is therefore a thing by itself, and in no respect differs from the original value to which the increment is added. The right of the community to the unearned increment of land exists simply in virtue of its right to the whole value that attaches to natural materials and opportunities. The man, therefore, who buys a first edition or a work of art that rises enormously in value because of its rarity, is in a very different position from one who buys the first necessary of life. For the former hurts no one by his ownership. The profit which the market may give him he may properly call his. But the latter puts himself into a position to levy a toll upon the people for the use of the very first means of life itself.

UNEARNED DECREMENT

Again, it is said, there is an unearned decrement in land values as well as an unearned increment. Of course there is. The cultivation of vast virgin wheat-fields on the prairies of the United States sent British farm values down with a run, for a time, just as the development of our towns has sent urban values steadily and continuously up. Some landlords have lost, others have

gained; but landlords as a class are certainly richer than they were at the beginning of the agricultural depression. If all the land had been nationalised on the values that prevailed then, the State would certainly not have been the loser by the transaction.

All values are liable to fluctuation. Sometimes the movement is upwards, and sometimes it is downwards. Every owner of property takes the profit of the one movement, and suffers the loss of the other. A landlord may reasonably object to the State appropriating the increment, while leaving him to bear the burden caused by the decrement. But the whole of the present argument is in support of a proposal that the State should relieve him altogether of the ownership, paying him fairly what the land is worth when it is taken. Consequently all talk about the inequity of discriminating between increment and decrement is entirely irrelevant.

DEVELOPMENT EXPENSES

It is sometimes urged that landlords themselves often spend money in laying out their estates for building purposes, by making roads and so on. For all such expenditure they are entitled to a return. If a man takes a piece of land worth £1,000 as agricultural land and develops it by an expenditure of £10,000, and the land then sells for £20,000, he is entitled to regard £11,000 of that as his own property, plus a reasonable profit upon his outlay. All the rest is due, not to him, but to the community as a whole. He is not entitled to the whole of the increment simply because he has himself created a part of it. In doing so he has acted as a capitalist, not as a landlord. The fact that he expended his capital upon his own land makes no difference.

THE COMMUNITY'S RIGHT TO LAND VALUES

Here it ought to be noted that the community's claim to the value of land is not due to the fact that it is its own demand which creates the value, or to the fact that public expenditure adds to it. For the value of all things whatsoever depends on the public demand; yet some values are clearly legitimate private property. And not only public expenditure, in adding to the amenities of a whole district, but private expenditure on other sites is also a factor in creating land values. The construction of a railway by a private company sends land values up, and men who never spent a penny in railway construction reap the benefit. A man opens a factory, and building values go up because a new demand is created for house-room. Neither the railway company nor the private capitalist can claim a share in those land values which have come into being in particular places because of their enterprise. And, similarly, it is not a valid claim that land values belong to a community merely because of public expenditure. The claim is much broader than that.

The right of the community to the value of land arises simply out of its right to the land itself. By moral right the land belongs to the community because of its peculiar characteristics, because it is indispensable and unmakeable. Therefore, whatever value it has should be public property. That value may go down, or it may go up, or it may remain stationary. It is all the same. It should be public revenue, whatever it is, and however it may arise. And the only way to secure it is for the community to own the land, and thus to secure the whole of the profits which accrue from its ownership. The proposal to secure those profits without public

ownership, by the taxation of land values, is dealt with elsewhere.

Some of the biggest fortunes in the world have been made out of speculation in land. Let us therefore examine what land speculation is. It is the buying up of land in the expectation of an increment in its value, and it inevitably involves the withholding of it from use until that increment is realised. Future profit, not present income, is the sole object which the speculator has in view. He holds on as long as he can, and where, as in our own country, he only pays rates on rent received, he can afford to hold on, as he only foregoes the interest on his investment. It is a deliberate gamble with the needs of the community for the first necessary of life. When the profit comes to him at last, it is the profit of a gambler —not the reward of labour. He has done nothing but wait.

Of course, successful speculation in land requires the exercise of a certain amount of judgment. But in exactly the same way a gambler on the racecourse also requires judgment. Some men can tell better than other men what the chances of a particular horse may be of winning a race. But when, through superior astuteness in judging the probabilities (leaving sheer luck out of the question), he wins his bet, his winnings are in no sense earnings, and they are obviously made at the expense of men less astute (or less lucky) than himself. A land speculator may show wisdom in judging the probable growth of a town, and, by securing the land in a particular place, may achieve wealth, partly by reason of his own foresight. But he has done nothing to create it, and he has probably done much harm, by using his ownership as an instrument of extorting values from the people who have themselves created the whole of it, as well

as in restricting opportunities for the employment of labour and capital in the meantime.

But, generally, no foresight of any kind is required, for land values are a growth rather than a creation. The supply of land being inexorably limited by the law of Nature, and the demand for it being an ever-increasing one, the aggregate price charged for it is bound to show the same steady upward tendency. A few examples of the unearned increment may now be given.

Hallam says, in his *Europe During the Middle Ages*, that arable land let in the thirteenth century for sixpence an acre, and meadow land for twice or thrice that sum. In the fourteenth century it was constantly obtained for twice or thrice that sum. But in the fifteenth century, says Thorold Rogers, it was valued at twenty years' purchase. And by the middle of the seventeenth century the rent of land had increased twentyfold since the Middle Ages. Arthur Young estimated the value of agricultural land in England at £16,000,000. It is much more than that now.

In the churchyard of Claverdon, Warwickshire, there is a monument to one John Matthews, who died in the reign of Henry VII., leaving land in the parish to defray the cost of necessary repairs to the church; and from time to time the rental of these lands has been inscribed on one side of this monument. Thus in 1617 it was £4, in 1707 £12, in 1825 £78, and in 1868 £130, which shows a substantial increment after making full allowance for the difference in the relative values of money at the different periods.

The *Times* in 1802 recorded the purchase by the Duke of Bridgwater, of canal fame, of a small estate near Hatfield for £14,000 and the price of the timber, and his discovery of a spring upon it for which he had been

offered £5,000 a year by the New River Company to supply London with water.

SOME LONDON CASES

When the first Royal Exchange was built, in 1564, the site was bought for £3,532. The Great Fire of 1660 destroyed the building, but the land remained, and when the second Exchange was built a small addition was made to the site. This small piece cost £7,000, or twice as much as the whole of the original site did a hundred years before. In the next 230 years, the value of the land has increased 180-fold. It is now worth £1,250,000 at the very least.

When St. James's Palace was built by Henry VIII., Hollinshed's Chronicle tells us it was a goodly manor surrounded by "a faire parke well stocked with game for his greater comoditie and pleasure." Great changes have taken place since then, and the surrounding district is well stocked with industrious rent-makers.

Where Covent Garden Market now stands, bringing in a clear £15,000 annual profit to the Duke of Bedford, an ancestor of his let it in 1570 as "his porcyon or percell of the Pasture cummunely called Covent Garden," and, not many years before that, it was the Garden of the Westminster Convent.

Over 400 years ago an ex-pedlar left an acre of land in Lambeth to the parish. It was an osier bed, and its rent in 1504 was 2*s.* 8*d.* When this pedlar's acre was bought by the London County Council for the new County Hall now building, the Lambeth Borough Council was drawing £1,800 a year for it, and the capital value paid by the County Council was £81,000.

During the course of a public inquiry into the St. Mary-le-Strand parish charities, it was shown that a

gift of land left in the year 1667 by Alice Loveday, of the then yearly value of £7, now produces no less than £2,257 per year.

Pepys, in his Diary, under date December 3, 1667, tells of the making of the new street from Cheapside to the Guildhall. The Corporation had got an Act to enable them to levy a Betterment Rate where property was increased in value by the rebuilding of the City. And Pepys mentions a case where a man demanded £700 for a part of his land that lay right in the way of the new King Street, and wanted to escape paying for the two frontages that would be created. He was awarded £700 for the land taken and he paid it back as betterment. In 1905 a site measuring 4,080 feet of land in King Street was let by public auction for £2,225 per annum; or 11s. per foot *per annum*. A considerable unearned increment in 238 years!

In the time of Queen Elizabeth there was a Crown farm of 430 acres in Pimlico, yielding a rent of £21 per annum. It has been covered by the tenants upon the leasing system. The late Duke of Westminster, in contradicting a statement that it yielded him £400,000 a year, mournfully confessed that it yielded him "only about half as much." Since then many leases have fallen in, and amongst these is the well-known Gorringe site in Buckingham Palace Road, which showed a rise in the ground rent from £395 to £4,000, in addition to a fine or premium of £50,000, which is equal to nearly £2,000 per annum more. A recent case showing the rise in the value of London land is the ground rent of Selfridge's Stores, namely £10,000 per annum.

One hundred and twenty acres of the Lisson Grove Estate let in 1340 at £10 per annum. Moorfields, now producing £60,000 a year, was let in 1300 at 4 marks per

annum. Two hundred and seventy acres of the Portman Estate in 1512 was let at £8 per annum ; it is now worth hundreds of thousands as bare land, apart from the houses.

In the year of the great French Revolution the Baker Street and Edgware Road portion of the Portman Estate was developed, and in March 1888 the leases fell in. The aggregate rise in the value of the property was a million and a quarter pounds. This estate was bought in 1512 by a Mr. Portman, so that his family might have fresh milk when he was up in town attending Parliament.

In 1552 the Churchwardens of St. Clement Danes bought twelve houses and land in Holborn from William Breton. They paid £160 for this property. The annual income derivable from it now is no less than £7,000, and the money is applied to the support of an almshouse with extensive grounds, a large grammar school, and a dispensary.

The Dulwich College Estate is an example of the growth of land values in the suburbs of London. When Edgar Alleyn, an Elizabethan actor, died, he bequeathed a stretch of country land surrounding Dulwich village for the support of twelve poor scholars. By the expansion of London that land is probably worth £1,000,000 to-day.

Three plots of land were bought in 1629 and 1643 for Campden's Charity at Shepherd's Bush. They were then worth £23 a year. In 1881 they were worth £3,600 a year, and the construction of the Central Tube Railway has since then sent up land values by leaps and bounds in that district.

Another London example of the transition from agricultural values to building values is the case of the Kentish Town Estate. This was the Prebendal Manor of

Cantelows. In 1768 this was tenanted by a Mr. A. Fitzroy, on a twenty-one years' lease. Mr. Fitzroy's brother, the Duke of Grafton, was Prime Minister, and an Act was easily passed vesting the estate in the then tenant in consideration of the payment of £300 a year to the Dean and Chapter of St. Paul's. This estate extends from St. Giles's parish through St. Pancras and Camden Town to Highgate. The value of this land to-day must be worth quite 10,000 times as much as the rent that was agreed on only forty-one years ago.

Some years ago the present Lord Chancellor, Lord Haldane, said:

"The land upon which London stands, if it were bare of houses, would be a big farm of 77,000 acres, worth at the outside not more than £77,000 a year. But the rent paid for the bare soil by the people of London, without the buildings, is almost exactly £16,000,000, or 200 times as much. I arrive at these figures through the quinquennial valuation, which shows that the rent of land and buildings is now nearly £40,000,000. But every year a valuation for poor-rate purposes is taken in each parish, and this enables us to find that the increase in the value of the land of London every year, without the buildings, is £304,000; every twenty years Londoners pay an increased ground rent of nearly £6,000,000. Who created that increased value? Not the landlords; not the tenants (for we have eliminated all improvements from our calculation); it is not due to natural advantages, but to the simple growth of the population. I hold that, if we had proper laws that £6,000,000 would belong to the people of London as a whole. The County Council rates of London are between £7,000,000 and £8,000,000 a year. In twenty years we might save the whole of this by securing the

increment in the value of the soil on which London is built."

When we turn to the big provincial centres of population we find the same steady rise of the unearned increment.

LIVERPOOL

In 1800 the population of the Liverpool area was less than 90,000. To-day it is approaching ten times as many. The growth of its population in numbers and wealth has been accompanied by a corresponding growth in the value of land.

In 1635 Lord Molyneux bought the Lordship of Liverpool for £450, and the Corporation took a 999 years' lease of 1,000 acres in the Lord Street district at a fixed annual rent of £30. In 1856 this was valued at £50,000 per annum. In 1882 the Corporation Estate was assessed at £740,000.

The Parliament Fields were assessed as agricultural lands at £40 per annum. Part of them was sold to the city for £100,000 by the Earl of Sefton, and he now draws £10,000 a year in ground rents from the remainder, that was farm-land sixty years ago. In 1847 the Corporation bought 53 acres of land adjoining the Newsham Estate for £20,000, or at the rate of 1*s.* 8*d.* per yard. Land in that district to-day fetches from 8*s.* to 10*s.* a yard.

MANCHESTER

In 1839 the rateable value of Manchester was £478,618. In 1908 it was £4,234,129. In 1596, Sir Nicholas Mosley bought the manorial rights for £3,500. In 1845, a Mosley received £200,000 from the newly incorporated Borough of Manchester for what was left of those rights.

The Overseers still receive £10 a year in consideration of 44 acres of land over which the people had rights of pasture 300 years ago, but which are covered with bricks and mortar to-day. In 1833 the Improvements Committee bought 222 yards of land in the Parsonage at £2 a yard, 55 yards in Lower Mosley Street at 30s. a yard, and 7 yards in Fountain Street for £30. Eight years ago they paid £123 a yard for land in Corporation Street. From 1849 to 1855 the Markets Committee bought land for the Smithfield Market at from £2 15s. to £6 14s. a yard. They lately bought adjoining land at from £20 to £35 a yard.

Some land in Cross Street was sold in 1881 for £20,080 for 334 square yards. In 1900 it was re-sold for double that price. In 1630, Humphrey Booth vested two meadows near Manchester in trust for charitable purposes. They were worth £19 a year. In 1901 the annual income from that land was £4,544. Forty years ago the Trafford Estates were worth £90,000. Twelve years ago the Trafford Park Estates Company bought them for £900,000. The hundred acres of the old racecourse were worth about £50,000 before the Ship Canal was begun. The Ship Canal Company paid £262,500 for them for docks.

EDINBURGH

Prior to 1760, land to the north of the Old Nor' Loch (now Princes Street Gardens) was feued at about 10s. per acre per annum. In 1766 it was feued to the City of Edinburgh at £7 per acre. In the next forty years it was let for building the new town at £20 per acre. In 1905 sites in Princes Street were estimated at a capital value of £1,000 per foot of frontage. A quarter of an acre, having 60 feet of frontage, was sold for £100,000.

In 1772 this same site was feued at £4 13*s.* 4*d.* annual rent, in addition to a lump sum of £153. In 1878 the Edinburgh Royal Asylum bought from the Cluny trustees 50 acres of hill ground, agricultural and pastoral, for £18,500, or £370 per acre. In 1886 another 10 acres were acquired from them at a feu duty of £25 per acre, or a capital cost of £625 per acre. In 1804, land was feued at £4 per acre along Leith Walk, which connects Edinburgh with Leith. To-day these sites fetch from £40 to £300 per acre per annum.

BIRMINGHAM

The immense difference between land and an ordinary money investment is shown by the following example.

In the year 1552 Birmingham and King's Norton (an adjoining village) were offered, for the purposes of education, a choice of an annuity of £20, or a grant of land to the same value. King's Norton chose the cash. Birmingham chose land, which was granted to them out of the funds of the Guild of the Holy Cross, which had been forfeited to the Crown by Henry VIII. The result of this endowment of the Birmingham Grammar School has been that, in addition to having utilised the growing income from the property during the time that intervened, the Trust has now an income of over £40,000 per annum from the ground rents, while King's Norton still receives the sum of £20 per annum.

A certain 6 acres of land between Lancaster Street and Aston Street was purchased in 1669 for £100, and changed hands in 1723 for £300. In 1878 the Birmingham Corporation purchased a portion of the land, containing about 4 acres, for £21,000.

In 1884, in order to improve the drainage from the Stratford Road to the sewage farm, thereby improving

the land all along the route, the mere right of way cost £7,100, the surface of the land being left intact and in as good a condition as before laying the sewer.

About 1880 a lease fell in of a piece of land behind the Town Hall bordered by Edmund Street, Easy Row, Great Charles Street, and Congreve Street, which had been previously let on lease at an annual rental of £40 per annum.

A small portion near Congreve Street was bought for the Mason College for £30,000, and the adjoining corner in 1882 was bought for £30,000 as a site for the then Birmingham Liberal Club.

In April 1888 the Post Office bought its present site near the Town Hall. It paid £2,000 for the extinction of a licence, and, when the licensee got a licence for the adjacent site, £2,000 was promptly added to the value of the site.

SHEFFIELD

Sheffield is another example of the growth in the value of land due to industrial expansion. The most important part of Sheffield belongs to the Duke of Norfolk. The Corporation has bought £600,000 worth of land from the Duke, and it had to pay £526,000 for his manorial market rights. Between 1815 and 1840 his rent roll doubled.

LEICESTER

Sir J. Tudor Walters, in the course of a debate in the House of Commons on April 10, 1907, upon a motion in favour of giving powers to public authorities to purchase land at a price based upon its taxable value, said, with reference to Leicester, that he took the trouble some time ago to carefully collect figures from conveyances and legal documents as to the value of unbuilt-on

land adjacent to houses, and he found that between 1872 and 1902 the value had increased to such an extent that the increase, if capitalised at 3 per cent., yielded a sufficient sum of money not only to pay the entire rates of the borough, but to leave a considerable sum of money for distribution among the ratepayers.

LEEDS

A very illuminating paper was published in the *Land Agents' Record* for March 18, 1899, by Mr. John Hepper, on "Leeds from a Surveyor's Point of View." Land which was offered in 1862 at about £6 10*s.* a yard sold in 1893 at £30 a square yard. In East Parade land has gone up from 32*s.* per yard to £15 5*s.* a yard in 1897, and to £24 10*s.* in 1899. Some land near the City Square fetched £75 per square yard in 1897.

CARDIFF

The enormous development of the coal-fields in South Wales has made the fortune of men like the Marquis of Bute at Cardiff and the Earl of Plymouth at Barry, apart from any outlay on their part. In 1832 the total rateable value of Cardiff was only £14,034. It is now nearly a hundred times as much. The ground rents have proportionately increased, and the houses themselves will revert to the ground landlords. Cathays Park was bought by the Corporation from the Marquis for £169,000, and it was previously rated at £174. Barry practically had scarcely an existence for long after 1832. It is now a gold-mine for its noble owner. To the same owner belongs Grangetown, a suburb of Cardiff. In 1852 it had but one house. To-day there are between 3,000 and 4,000 houses there, which will become Lord Plymouth's houses when the leases expire.

ROCHDALE

A few facts about the Rochdale glebe estate are instructive. It contains about 250 acres.

	£	s.	d.
In 1291 the income was . .	5	13	4
In 1535 ,, ,, . .	550	0	0
In 1763 ,, ,, . .	800	0	0
In 1813 the tithes were sold by auction for	63,426	0	0
In 1825 the income was . .	2,600	0	0
In 1866 ,, ,, . .	4,000	0	0
In 1893 ,, ,, . .	9,342	0	0

ABERDEEN

The Torry Estate, 182 acres, was sold for £15,000 in 1859. In 1875 it realised £29,000. In 1901 the Harbour Commissioners paid £56,507 for only 8½ acres of it.

The foregoing are only a few out of many instances which might be given to show how public expenditure and private enterprise, together with the continuous increase in the numbers of the population, express themselves in terms of rent, and pour ever-expanding streams of unearned golden wealth into the coffers of the lords of the soil. Every public improvement, every new invention, swells their riches without their contributing a hand's turn to produce them.

When the Thames bridges were freed of toll at the public expense, when the wages of the Woolwich Arsenal employees were raised by the War Office, when the railways displaced the stage-coach, when the electric tram superseded the old horse-cars, the rent of land went up as if by an iron law of nature. And this steady flowing of rental tribute into private pockets is undoubtedly

one of the chief causes, along with a general rise of prices due to other factors, which is making it harder and harder for the masses to achieve a fair reward for their labour. But, fortunately, there are signs that an educated democracy is opening its eyes at last to the great fact, so long obscured from them, that their poverty does not arise from any scarcity of the good things of life, but simply from inequitable social arrangements. And out of that growing consciousness, assisted by the disinterested help of those who do not themselves suffer, but who sympathise with those who do, the movement for the abolition of the inequitable system of private property in land is bound in time to attain its just purpose.

CHAPTER VII

THE LEASEHOLD SYSTEM

Lord, I knew thee that thou art an hard man, reaping where thou hast not sown, and gathering where thou hast not strawed: . . . Thou knewest that I reap where I sowed not, and gather where I have not strawed.

Matthew xxv. 24–26.

And they shall build houses, and inhabit them; and they shall plant vineyards, and eat the fruit of them.

They shall not build, and another inhabit; they shall not plant, and another eat.

Isaiah lxv. 21, 22.

I have just received a letter relating to some property which I had been in treaty for as an investment, to the effect that the occupying tenant having since my previous negotiations (which had fallen through) expended some £20 on the place, his landlord (the vendor) has raised his minimum selling price by that amount, plus £5 for the improved security for the punctual extraction of rent.

Letter from a correspondent.

THE terminable leasehold system is of comparatively modern origin. It arose out of a desire on the part of the great landlords to keep the land in the family. When buildings on a large scale were wanted they were unable to find the money for them themselves, and they were unwilling to sell the land out and out. They therefore agreed to let the land at a fixed rent for a given number of years. The tenants agreed to put up the buildings at their own cost, and, at the end of the leases, the land and everything upon it came back to the ground landlord.

Where land was subdivided to any extent it was sold outright, and freeholders were multiplied. But where

there was a closer monopoly in the hands of a few owners the leasehold system was adopted, and it provides some very remarkable evidence of the way in which landlords have reaped a great harvest without either exertion or expenditure on their part.

At the same time it is probable that the evils of that system are not necessarily inherent in it. Everything depends on the terms of the lease; such as the amount of the rent charged, the length of the lease, the character of the covenants, and, not least, whether the buildings revert to a private landlord or to the community. For instance, it was manifestly unfair that buildings, paid for by tenants, should revert to their landlords at the end of so short a period as thirty-one years. Yet this was the regular rule on the Duke of Norfolk's estates after the great Fire of London, and doubtless on many others as well. The Duke's surveyor, giving evidence before the Town Holdings Committee, in 1886, said that the houses in Arundel Street, Norfolk Street, and Surrey Street, were built on thirty-one-year leases on the site of the Duke's former town house after the Great Fire, and they were then still standing. For nearly two hundred years they had been in the ground landlord's possession, and the full rack-rent came to him. And when the Thames Embankment was made he was able to get £225 for houses which were only rented at £90 before.

The steward to the Duke of Bedford said that the first Bedford lease was in 1620, for thirty-one years. It was let to the King's Carpenter for £7 19*s.* a year. Only the best, well-seasoned oak was to be used.

Previous to that the leases were even shorter, as is shown by an enabling statute, 32 Henry VIII., which allowed a tenant for life to lease for so many as twenty-one years; and this restriction applied to settled estates

till 1846, when the first general Leasing Act was passed. Thus the Arundel Estate at Sheffield was settled on the title in 1628, and from then till 1846 no Earl of Arundel could let Sheffield town property for more than twenty-one years. It is scarcely possible to exaggerate the serious effects which such a restriction must have produced in the hampering of industry.

The Church, which was, next to the King, the largest landlord in the country, was also under stringent limitations, at first being unable to grant leases at all. It seems almost incredible that, until the year 1853, no Church lands could be leased for more than forty years; and for many years the Church could not grant a lease allowing an old building to be pulled down, but only for it to be repaired.

As the greater part of London was in the hands of the Church, and of life-tenants of settled estates, it is easy to understand how the slums and jerry buildings which have made London notorious, were created under a system of such absurdly short leases.

The opinion is commonly held that no London leases are now granted for less than ninety-nine years, but a great authority, Mr. Charles Harrison, told the Town Holdings Committee in 1886 that leases, in his *most recent* experience, rarely ran beyond sixty years. In 1884 the Ecclesiastical Commissioners let about 30 acres of land at Harrow for that period. He said that he had renewed some leases only the other day on the Berkeley Estate for sixty-three years, and was informed that he had no power to grant a longer term.

Naturally no builder can afford to build substantially unless the lease is long enough to enable him to recoup himself for his original outlay, and seventy-five years is perhaps the minimum period which justice requires in

such cases, and on that term the Birmingham Corporation has developed the estate which it acquired nearly forty years ago in the centre of the city.

The leasehold system has been widely condemned, and, as it has been relentlessly worked in the interests of many private owners, it fully deserves condemnation. It should, however, be observed that it has generally been condemned on grounds that do not appear to be valid to the present writer. Is there really anything inherently and necessarily unjust in the system itself? Is it necessarily wrong for the building to revert to the owner of the ground on which it stands, and especially if it reverts to the community as a whole, rather than to an individual? For the ground landlord foregoes any part of the unearned increment for the whole term of the lease. The original ground rent is absolutely fixed. The presumption is that, if the buildings were not to be his property ultimately, he would demand a considerably higher ground rent from the beginning. And where there is no right to the reversion, as under the Scottish feuing system, or the northern plan of chief-rents, it is questionable if either the landowners, the actual builders, or the subsequent tenants, are any better or worse off under those systems than under that of terminable leases; always, of course, provided that the terms are long enough to enable the recovery of the first cost of the building. The difference, upon examination, seems to be more apparent than real.

Accounts have been kept in a number of cases, and it has been shown that the original cost of the building has been fully repaid with interest by the rents received, and, as a lease nears its end, each buyer pays less and less for a house because he only buys the limited ownership of it for a short period. It is, of course, only natural

that a man should dislike handing a house over to a man who never paid for a brick of it. But neither did he himself build it, nor pay but a small part of its cost. He can hardly therefore say that he is robbed. Presumably he paid only the fair market price for the short lease which he holds. He knew that he would have to surrender the house at a certain time, and he calculated that the rent he would receive during that time would return him the whole of the money he paid. Certainly the landlord gains, but it by no means follows that the leaseholder loses anything to which he is either legally or morally entitled. It may be properly urged that the terminable leasehold system is a bad one on the ground of the insecurity it creates towards the end of a lease, because of harsh restrictive covenants, or because it destroys all incentives to improve a property that is to pass away from the improver of it. But the average advocate of leasehold enfranchisement goes further than that. He lays particular emphasis on the landlord getting possession of a property which he neither created nor paid for.

The leaseholder does not in the slightest degree impugn the right of the ground landlord to the annual ground rent paid in cash; he simply impugns his right to that part of the ground rent which is deferred till the end of the lease, and which is payable not in cash but in bricks and mortar. The truth of the matter is that the landlord is as much entitled, or as little, to the one as to the other. They are parts of the same bargain. They are parts of the same price. It is illogical, therefore, to admit the landlord's right in the one case, and to deny it in the other, as the leasehold enfranchiser does. To be consistent we must either justify both, as the landlord does, or deny both, as the land-nationaliser does.

For the rent that is deferred, and is paid in kind, in no essential respect differs from the rent that is exacted each year, and is paid in cash. They are both alike tribute exacted by landlords for permission to use the earth. The following cases, therefore, are to be taken as illustrating their power to appropriate the value of land which belongs to the whole community, rather than as evidence of special wrongs inflicted upon particular leaseholders. And this was evidently the view taken by the thirty-nine Liberal Members of Parliament who supported Lord Haldane's Amendment to the Leasehold Enfranchisement Bill in 1891, on the ground that it would confer upon the enfranchised leaseholders the values attaching to land which are the creation of society.

That amendment was supported by no less than six members of the present Government, viz.: Mr. Asquith, Mr. Birrell, Mr. Sydney Buxton, Sir Edward Grey, Lord Haldane, and Mr. Lloyd George, besides men like Mr. Bryce, Mr. T. P. O'Connor, and Mr. Shaw Lefevre (now Lord Eversley). And Mr. Asquith referred to that incident in the following terms, when he received a deputation on May 18, 1911:

"At that time there was a movement in the country and in Parliament in favour of a scheme of leasehold enfranchisement, but I have always regarded that proposal, not as a solution of the land question, but as a great imposture, which, so far from securing to the community the increased value of land, would merely transfer it to a new body of landowners."

THE GORRINGE CASE

One of the most striking and best-known cases of unearned increment accruing to a landlord at the end of a lease is what is known as the Gorringe case. Mr. Gorringe

was a successful draper in Buckingham Palace Road, and he held a number of separate leases on the Duke of Westminster's estate. The original aggregate ground rent was £395. The true land value was of course much more, long before the leases fell in. It had steadily grown year by year, and, in the meantime, it was the property, not of the ground landlord, but of the leaseholders for the time being, although it was the creation of the community as a whole. The ground landlord's chance did not come until a new lease was required. Naturally he saw his chance and took it. All the old leases were surrendered, and a new one was granted for the combined area. The ground rent of £395 was increased to £4,000; a £50,000 building had to be erected, which was to become the landlord's property in sixty-three years; a £50,000 fine or premium had to be paid; all the local rates were to be paid by the lessee; the buildings had to be insured at the lessee's expense, and kept in first-class condition all the time; and, of course, a handsome price had to be paid for the lawyer-made agreement which specified these terms. There is little doubt that the anxiety of the Gorringe Company to secure that particular site where the business had been established for many years was an important factor in determining the conditions, for it is well known that in such cases the value of the tenant's goodwill of his business is practically confiscated. He is not a free agent, and is not in a position to make a free contract.

But let it be assumed that this was an ordinary bargain, that the premium and the new ground rent, and so on, no more than represent the then value of the land, and that the leaseholder had recouped himself for all his previous expenditure, as in all probability he had. Then the question is simply this: What moral right has the

Duke of Westminster to any part of the value of that site, let alone to the whole of it? Neither he nor his predecessors had made the land nor improved it, and whatever value it had was properly due to the rightful owner of the soil, that is, to the people as a whole. While, therefore, he is not to be blamed for reaping where he did not sow, for gathering where he did not straw, or for entering in where he did not build, it is surely a radically bad and indefensible system which permits either him or any other man to act in that way.

The setting up of the leaseholder as a freeholder in his place is obviously no solution of the problem. The new Reversion Duty of 10 per cent. on such windfalls is but a partial remedy. Nothing less than the full public ownership of land will avail to secure for the Public Exchequer the full unearned increment in all such cases.

It has been said, and quite truly said, that much the same system prevails on public land; that the Crown deals with its London leasehold tenants in the same way, and that the City of London Corporation, and the Corporations of such places as Birmingham and Nottingham, exact the full value of their land when the leases fall in. Of course they do. To act otherwise would be to hand over public values to private interests. But there is all the difference in the world when land is under public ownership, for then the rent is paid to the rightful owner, and every farthing is returned to the public in public services which would otherwise have to be paid for out of rates or taxes. But, in all such cases as the one here described, the rent is paid to a private person privileged by the law to take it; and it is spent, not upon public services, but for the satisfaction of private desires.

The Duke of Westminster had inherited a tract of some 400 acres in Pimlico, which was once a marshy

farm. It was Crown property in Queen Elizabeth's time, and its total rent was only £21 per annum. It has all been developed by leaseholders, and they have had to pay all the expenses of local government. In the fullness of time the entire area, from Hyde Park Corner to the Thames, will fall into his possession, besides street after street and such valuable squares as Grosvenor Square, to the East of Hyde Park, which will similarly revert to him as ground landlord.

He is not to be singled out for envy or hatred on this account. He is but the creature of his circumstances. But how much better it would have been for the common weal if that land had never been alienated by the Crown, but kept as a public trust, and its revenues applied to the common good instead of to the luxuries of one man !

The past cannot be recalled, but the mistakes of the past afford lessons for the present and the future which the nation will take to heart as soon as it learns wisdom.

THE BEDFORD ESTATE

The Duke of Bedford once said that he spent so much on his agricultural estates (spoils of the Church, be it remembered) that were he not the fortunate possessor of "a few lodging-houses in Bloomsbury" he would have been hard hit by the agricultural depression. Thus did he refer to his vast London estate which was developed by his tenants in the usual way. And, however generous he may be to his farmers, he has always dealt with his London tenants on strict business principles. Covent Garden Market has already been mentioned as producing £15,000 clear annual gain. Drury Lane Theatre was built at enormous expense by his lessees. He receives £10,000 a year in ground rent, and it is a very good year

when the Drury Lane Company is able to show so much as that as the reward for all their effort and enterprise.

Then, again, look at the magnificent Hotel Russell in Russell Square, with its "hall of marble in red, green, and yellow tints, its noble fireplace surmounted by the sculptured arms of the Duke of Bedford, its banqueting hall which is a veritable triumph of artistic decoration in the French Renaissance style," and its 700 rooms in all! And remember that this great property was all paid for by the lessees and will revert as ground rent to the Duke. Think, also, of the vast changes which have come over London since the 28 acres of land at the rear of his ancestor's house (where Southampton Street now is) was let, in 1559, on lease for twenty-one years at a rental of £1 16*s.* an acre!

THE PORTMAN ESTATE

In 1512 this entire estate was worth £8 only per annum. It consisted of green fields, far from London as it was then. In March 1888 a large number of leases fell in, and Lord Portman netted a million and a quarter pounds in fines and increased ground rents. One hundred and twenty thousand pounds were taken from one street. Here is one typical case. A tradeswoman took a shop with eight years of the lease still to run. She spent £300 in adapting it to her particular business, and applied in good time for permission to renew the lease. On this estate a two-guinea fee is charged before the terms of renewal can be known. She was informed that she could continue to occupy the premises if she paid £80 ground rent, instead of £10. She must spend some hundreds of pounds in further alterations and decorations, and must pay a fine of £1,000, or 5 per cent. interest on it until it should be paid, as it must be within eight years.

For the drawing up of this agreement she was compelled to pay £15 to the lord's own lawyer.

THE CADOGAN ESTATE IN CHELSEA

Concerning the valuable estate of Lord Cadogan, Mr. R. M. Cocks writes as follows to the *Property Market Review*: "Speaking from an experience as a surveyor and valuer of upwards of forty years, for twenty-eight years of which I have been in business for myself, I can say of my own knowledge that there is no comparison between the ground rents of forty years ago and those that, for the most part, are created to-day. Then it was considered that the ground rent should be about one-sixth of the rack-rent; now the ground rent is not more than two or three times covered at the most. As an example, let us examine what has happened in this, my own neighbourhood. In the case of small houses in Hans Place, Chelsea, which I can recollect as formerly letting at rack-rents of from £60 to £80 per annum, ground rents of £150 a year and rack-rents of about £300 are now the figures. Sloane Street ground rents range from £200 a year to £250, and bear a similar relation to rack-rents as in the case of Hans Place. A baker's shop, situate opposite my office here in King's Road, of which the ground rent of two years since was £7 per annum, has now been rebuilt on building lease under which it has been transformed into the sum of £120 per annum."

THE SALISBURY ESTATE

Apart from the heavy payments incidental to the system, the onerousness of many of the covenants is a serious matter in itself. Messrs. Coutts & Co. a few years ago moved their Bank to new premises on the other

side of the Strand. They were lessees of the Marquis of Salisbury, and their lease was not to expire till March 25, 1915. The London County Council sought to acquire the last ten years of the lease for temporary offices. They were asked to submit to altogether new conditions, to carry out structural alterations of an extensive and expensive kind which the old lease did not provide for, to pay down at once (instead of ten years hence) the estimated cost of re-instating the premises, and to get the endorsement of Messrs. Coutts upon the agreement, as if the County Council were not substantial enough or honest enough to be trusted; and, for the licence to assign the lease, which usually costs a few guineas, Messrs. Coutts were asked to pay no less than 100 guineas.

It is sometimes said that the landlord's lawyer is to blame rather than the landlord himself, and it is very likely true that it is the lord's "business man" who initiates such terms. But the landlord reaps the benefit and he cannot disavow the responsibility.

WOOLWICH.

The late Colonel Hughes of Woolwich, a solicitor, gave the Town Holdings Committee some interesting facts about Woolwich. When the Arsenal was established there the land was leased for workmen's and other houses. The chief landlord lived in Ireland. For the last fifty years of his life he refused any extension of leases, and any sale of the freehold, as he wanted to leave it all just as it was till his nephew came into the property. This attitude and policy of course effectually prevented all improvements. And in Plumstead, where six-sevenths of the land is let on leasehold, property worth a million pounds would revert to the freeholder.

THE CRAVEN ESTATE

The Craven Estate in Paddington was let on building leases in 1854. One condition was that the Earl of Craven may take possession and use any property for a pest-house, surgeon's house, or burial ground in the event of a plague occurring. This is explained by the fact that an ancestor of the present Earl so decided after the Great Plague.

TORQUAY

Torquay is an example of the evils of settled estates and life leases. Three-quarters of the ground rents (said Mr. Arthur Burr, the agent in 1887) belonged to Lord Haldon. There were ten encumbrancers. Before the estate could be sold, under Lord Cairns's Settled Land Act, the consent of them all would have been necessary. There are 2,500 holdings. That, he said, would have meant 25,000 solicitor's bills, and 25,000 surveyor's bills, costing £150,000. So a private Bill was got, costing £7,000 or £8,000. Then the leaseholders were permitted to buy the freehold. A twelve-guineas ground rent, fifty-three years unexpired, fetched £1,700 ; a £1 ground rent, thirty-eight years unexpired, fetched £300 ; and a £60 ground rent, seventy-six years unexpired, realised £3,500. And when the committee asked Mr. Burr if there was any particular reason for such high prices being obtained, he gave the significant answer, "No, except that we thought the lessees particularly wanted to buy, and so we charged them accordingly."

Some of the property was let on life leases, for three lives. On the death of one a renewal was granted on payment of two years' rack-rent. And Mr. Burr said, "We have been very lucky in people dying off." Com-

ment would only spoil such eloquent testimony to the effects of private property in land.

A TYPICAL CASE AT BIRMINGHAM

In 1870 there were several small shops at the upper end of New Street, near the Town Hall, which had cost probably £150 to build. One of these was taken on a lease for ten years at a rental of £50, being a considerable increase upon what had been previously received. At the end of the lease another was granted for seven years at a rental of £100, at the end of which time, in consideration of having spent about £250 on improving the small place, the lessee was granted another lease for eleven years instead of seven, but with another increase of £50, making the rental £150. Again, when this lease terminated, it was renewed for another seven years at £175, and the clauses in the lease were so onerous that the lessee's lawyer informed him that at the end of his term he might be called upon to rebuild the premises, the result being he was only too glad to get rid of his lease without any compensation.

SOUTHPORT

A century ago Lord Street (the finest street in Southport) was a large rabbit warren and a heap of sand-hills. Some enterprising leaseholder took a piece of the sand-hill and paid £25 a year ground rent for it, and built a public-house, with stables and outbuildings. When the lease expired the ground landlord raised the rent from £25 to £575 a year, and insisted upon very valuable property being put up to secure his rent. To-day that land contains ten shops and a large hotel that cost £35,000.

Sir John Brunner told the House of Commons (February 10, 1899) something of the land history of Southport. He said:

"I will take the case of a member of a very old Lancashire family, who bought in the year 1845 an enormous extent of sand-hills in the west of Lancashire, near the seashore. I remember being told many years ago, by the solicitor who advised that Lancashire squire, that he bought that property, a good many square miles in extent, for £45,000. The property had been, at the time I was told this, in the possession of the family for less than thirty years. The income from that £45,000 was then £40,000 a year. It is now four times that, at the very least. And not one penny of rates have the owners of that land ever paid. That land had been vacant until it was occupied with houses. When it was vacant it paid no rates. Since it has been occupied by houses, it is the tenants who have paid the rates."

THE CASE OF WIDNES

Sir John Brunner then gave the case of Widnes, where he lived for ten years:

"Widnes was occupied by chemical manufacturers on account of the fact that it had good railway accommodation, good water communication, and that it was near a coal-field, and coal was cheap. Now, sir, the centre of the township—we speak not of parishes in the north of England, but townships—belonged to a family whose fortune is founded upon the purchase of land in Lancashire—land which had increased enormously in value, land which at the time of the death of the grandfather of the present head of that family was of such little value that his two sons doubted whether it was worth while to prove the will and claim the property.

Now, sir, that property is worth very decidedly over £3,000,000, and the owners of it have never from beginning to end paid a penny in rates. Now, this centre of the township of Widnes, as I said, belonged to this family, the only wealthy landowners in the whole township. What was the result? The chemical manufacturers wanted cottages for workmen. They were prosperous men in those days, they were men who wanted to put money into their business, which returned 10, or 20, or 30 per cent., and not to put it into cottages, which returned only 5 or 6 per cent. But they were obliged to build these cottages. They could not carry out their work without cottages. They built cottages—the poorest of cottages, the most wretched of cottages, and in these cottages, beginning with the year 1849 up to the year 1869, the workmen of these manufacturers lived. These cottages, every one of them built by the employer, every one of them rotted to such an extent that they were all condemned as unfit for human habitation and pulled down.

"That is the result of the occupation of land in the centre of the township by one wealthy landowner, who paid no rates and no taxes at all for it. I have watched that land growing from a value of £40 or £50 an acre out-and-out, until it has come to such a value that the representatives of the family thought it worth while to begin to sell, and they did not begin to sell until it had risen from £40 to £20,000 an acre, and not one copper of rates has been paid. Now, sir, when we find not only a money injustice, but when we find a people living short lives, living unhealthy, immoral lives, in order that the landowner of the centre of the town shall become richer—then, sir, I say we have a case for our serious consideration."

THE CASE OF BOOTLE

"I might go on, sir, to speak of Bootle, which is practically the north end of Liverpool. When I lived as a child in my father's house at Everton, I remember very well looking over the fields towards the sea, and being unable in any direction to get two houses in a line between us and the sea. And now everybody knows—a great many people at all events, know—what Bootle is. It is a very large and a very prosperous town, and it is all let upon short leases—building leases—and at the end of these leases, in the same fashion of which my honourable friend the Member for Devonport has spoken, the whole of that town will belong to the owner of the ground; and, in the meantime, the occupiers of that town have first built their houses, then made their roads, then their sewers, then bought their waterworks, and paid all rates, including those paid for the return of the capital borrowed from the Local Loan Commissioners—it has been paid off out of their hard-earned incomes—and then the whole, under the operation of this law, which I suppose will be maintained to-night by Her Majesty's Government, the whole lot will belong to one family."

HUDDERSFIELD

Sir Francis Channing (afterwards Lord Channing), in the same debate, gave to the House some figures about another leasehold town, Huddersfield.

"Huddersfield is a town owned practically by one landlord, Sir John Ramsden, who is reputed to receive not less than £100,000 annually from a property that was originally acquired by his ancestors, I believe, for the sum of £1,000 sterling; and the estate is being continu-

ally improved by public works at the expense of the occupying ratepayers. At Huddersfield, in the case of Greenhead Park, 28 acres were purchased for £30,000, of which the estate returned £5,000. Thus the landlord pockets £25,000, while the Corporation spent many thousands in laying it out, and, if they saw the houses since built, they would see how it had improved the value of the sites."

A SHOOTING LEASE

As an example of another kind, showing the conditions which are sometimes inserted in leases, a case may be mentioned which was told to the House of Commons by the one affected by it. He said he had recently taken a lease of some shooting in Ayrshire, and he had had to give an undertaking that he would not take part in, or even be present at, any political meeting that might be held in the neighbourhood. It need hardly be said that he was not a supporter of the landlords' party, or such a limitation of his political liberty would not have been insisted upon.

LEASEHOLD CHAPELS

The Church of England has no difficulty in acquiring sites for its churches, and, to make quite sure that there should be none, it secured an Act of Parliament in 1818 to enable it to buy sites by compulsion where necessary. That power has not been needed except in two cases. But it is very different in the case of Nonconformist Chapels. The Welsh Calvinistic Methodists' Report showed that in 1883 they had no less than 347 chapels, built on the leasehold system because the landlords refused to give them the security of the freehold. That property, worth £355,946, is at the mercy of the

ground landlords, and Sir S. T. Evans told the House of Commons that the leasehold chapels in Wales alone are valued at over £1,000,000. At the expiration of the leases the congregations have to pay rent for the places they built and paid for, and, in some cases, their chapels have been compulsorily converted into warehouses and shops when the leases have expired.

On Lord Penrhyn's estate there are twenty-seven chapels which were built on thirty-year leases, which is eloquent proof that freedom of contract was conspicuous by its absence.

The Wesleyans built a chapel in 1843 in the City of London, on the land of one of the City Companies. The ground rent was £48. When the lease expired in 1893 the ground rent was raised to £650. It was impossible for them to pay that amount, and they had to surrender the chapel, which had cost them £6,000.

Cases like these could be multiplied, but it is unnecessary. Enough has been said to show that the land has been very generally used by the landlords as an instrument of extortion, and to prove the need for a complete change which will for ever deprive them of such power in the future. And if, under public ownership of land, it should be decided to continue the leasehold system, the utmost care must be taken to ensure that the terms shall be such that none of the value which an occupier gives to land by his own labour and expenditure shall be confiscated as it has been in the past.

CHAPTER VIII

MINERAL ROYALTIES, RENTS, AND WAY-LEAVES

I have always thought our forefathers made a great mistake when they did not reserve the minerals to the nation.

LORD MORLEY (interviewed at Newcastle, 1889).

Although we speak of a mineral lease, or a lease of mines, the contract is not in reality a lease at all in the sense in which we speak of an agricultural lease. There is no fruit—that is to say, there is no increase; there is no sowing or reaping in the ordinary sense of the term, and there are no periodical harvests. What we call a mineral lease is really, when properly considered, a sale out-and-out of a portion of the land. It is liberty given to a particular individual, for a specific length of time, to go into and under the land, and to get certain things there if he can find them, and to take them away just as if he had bought so much of the soil.

The late LORD CHANCELLOR CAIRNS.

The owners of minerals in the less favoured mines are forced in a losing trade to make concessions to their lessees, though they are able, if they hold out for their full legal rights, to see all the capital of the tenant made valueless before the loss begins to fall on themselves in respect of the royalty.

SIR ISAAC LOWTHIAN BELL.

We are working out as fast as we can the foundations of our prosperity as a manufacturing nation.

J. S. JEANS, Secretary to the Iron and Steel Institute.

IT would be difficult to over-estimate the influence which the mineral resources of the British Isles have had upon their history. It is nearly six hundred years since coal began to be used, and was brought by sea to London. But a still greater discovery was not made for centuries after, when man found out the immense power of steam. Then began the industrial era. The hewers of coal and iron ore rapidly increased. The workers in iron and other metals multiplied with each

decade. Machines were invented, factories were established, and smoky hives of manufacturing industry sprang up on every hand. The town population increased, and England became the workshop of the world. And all this would not have been possible but for two circumstances. First, we had an abundance of coal and iron; and, second, they were conveniently placed in close proximity to each other. Thus the high position which England occupies to-day as a manufacturing country and as a naval Power is directly traceable to the vast stores of minerals in which she is peculiarly and pre-eminently rich.

With two important exceptions all these minerals are now vested in the lords of the soil, although at one time all minerals whatever belonged to the Crown. In the year 1568, in the case of the Queen *v.* Northumberland, the decision of the judges was in effect that only mines of gold and silver belonged to the Crown, and that the baser metals belonged to the so-called proprietor of the land. This decision carried with it the right of the Crown to search for gold or silver, and to enter upon private land and carry on the operations necessary for obtaining those metals. It also held that a mine of baser metals, if it contained any gold or silver, belonged to the Crown. But the landlord power was too strong for this condition of things to be maintained. So by the Acts of 3 William and Mary, cap. xxx., 5 William and Mary, cap. vi., and 55 George III., cap. cxxxiv., it was declared that mines of copper, tin, iron, or lead were private property, subject to a right of pre-emption by the Crown, even although they might contain gold or silver. This, then, is the position to-day. According to a maxim of English law, "to whomsoever the soil belongs, to him belongs all that is above it and all that

is beneath it." The two metals in which England is poorest belong to the nation. Practically all the rest belong to private individuals. It is true the Crown has certain proprietary rights under the foreshores and under territorial waters; but these are of small account.

The owner of mineral lands as a rule does not himself risk any capital or put forth any labour in actual mining operations. He is quite content to leave that work to others. But no shaft can be sunk without his permission being first bargained for. If no minerals are found, or if those which are found are not remunerative, he will not lose a single farthing by the failure of the enterprise. The whole risk is taken by the lessee. There is a pit in Durham which cost £250,000 before the first truck of coal was landed at the pit top. But the landlord paid not a penny of this immense sum. He is a partner in the mining business. But the agreement is a strictly one-sided one. He is rarely more than a sleeping partner. He sleeps, but thrives. For him there is no uncertainty. For the lessee it is, as it were, a toss-up whether or not minerals in paying quantities will reward his venture. For the landlord it is a toss-up of another kind altogether. "Heads, he wins; tails, he doesn't lose." The fixed rent starts as soon as the first sod is turned. This rent is variously styled "dead-rent," "certain-rent," "minimum-rent." Its amount ranges from £1 to £5 an acre of the supposed coal area. If 500 acres are leased, the average "fixed rent" will be £1,000, or, say, the wages of twelve hard-working miners. And this is the smallest of the landlord's charges.

For, besides the fixed rent, there is the royalty which has to be paid on every ton of the precious minerals which are extracted from the substance of the earth. There is no escaping from this part of the bargain. Whether

it is coal or ore, it must be scrupulously weighed. The weighman is at the pit mouth, and every truck must pass his machine. The landlord must have what is written in the bond. It may be a royalty of 6*d*. per ton on coal, and the pit may produce a thousand tons a day ; so the landlord's share of the day's sales will be £25. And there may be 300 working days in a year ; so his income will be £7,500 a year. From one coal-pit ! The wages of a hundred toiling miners wrung, with the full sanction of the law, by one rich idle man at the surface. Let us consider the matter more closely.

Over twenty years ago there was a Royal Commission appointed. Its duty was " to inquire into the amounts paid as royalties, dead-rents, and way-leaves on coal, ironstone, shale, and the metals of mines subject to the Metalliferous Mines Act, 1872, worked in the United Kingdom, and the terms and conditions under which those payments are made, and into the economic operation thereof upon the mining industries of the country ; and, further, to inquire into the terms and conditions under which mining enterprise is conducted in India, the Colonies, and foreign countries by the system of concession or otherwise." Now, although the Commissioners unearthed a very valuable mass of information upon the question, yet they did not inquire into the justice of the landlord's claim to charge royalties and rents and way-leaves. Such an inquiry was outside the scope of the terms of the above reference. They took it for granted, and not a single Commissioner questioned it for a moment. And yet, this is the question of all questions which lies on the very threshold of any adequate investigation into the conditions of the mining industry and of the vast mining population.

When a ton of (say) coal is sold, its price may be

conveniently divided into three parts of unequal sizes.

The miner takes one, and calls it wages.

The capitalist takes one, and calls it interest or profit.

The landlord takes one, and calls it rent and royalty.

It is not enough to say that each participant has a legal title to the share which he receives. We need further to inquire in what manner he has helped, with labour or machinery, in any of the processes of the mining industry. Now, the wages of the miner are, without the shadow of a doubt, his rightful property. "The labourer is worthy of his hire." At the risk of his life, his whole capital, he goes down into the darkness of the bowels of the earth. Hour after hour he toils at the face of the cut rock till the perspiration runs in streams down his stripped body. Out of sight of God's beautiful sun, and subject to danger at every turn, he plays his part manfully. And, if he survives the risks that surround a miner's life, he draws a wage that is never proportionate to the arduousness, the unpleasantness, and the danger of his work. The capitalist, too, does something for the share of the produce which he appropriates. He has ventured his money where all might have been lost. He has bought the expensive machinery without which the coal could not have been won. He has organised and superintended the work. And, therefore, he is entitled to a return upon the capital which he has sunk, to a premium for the risk he has incurred, and to the wages of his organisation and superintendence. Whether or not the industry would be better organised by the community itself is another question altogether. It does not affect the argument, and it is not entered into here. For it is not necessary to complicate the comparatively simple contention that the State should own the minerals

by introducing the much more controversial argument that they should be directly worked by a State department. But obviously the national ownership of minerals involves the discretionary power to either lease them or work them. The manner in which that discretion will be exercised will depend upon public opinion. In either case the first thing to be done is to expropriate the existing mineral owners.

But, when we come to the landlord's claim, the conditions are altogether different. He has not given a single hand's turn to the work of the mine. He has not handled a pick, and has not cut a single lump of that which he calls his property. He may never have been down the shaft. He may never have seen the mine. He may even have lived all his life at the Antipodes. He has not invested one farthing in the purchase of machinery. He has paid no part of the wages of managers, engineers, clerks, commercial travellers, or foremen, whose work is as necessary as that of the actual hewers. He is, therefore, not entitled to receive either wages or profit. He renders no service whatever, and yet his permission must be accorded before the work can be started, and his claim for the rent comes before that of every other creditor.

"But," it may be said, "he supplies the coal." One might as well talk of a man supplying the sea, and therefore levying tribute upon all the ships which plough across it, or of supplying the sun, moon, and stars, and therefore levying a tax upon all those who enjoy their light. The one claim is as absurd as the others would be. All alike, they are simply the unwarrantable claims of private individuals to own Nature herself. They differ, not in their absurdity or invalidity, but in their possibility. It is not possible to fence the sea round. That is the only

reason why we are not blessed with sea-lords as well as landlords. It is not possible to shut off the light of the heavenly luminaries and to reveal them only to those who will pay for the privilege. If it had been possible it would have been done; and we should have had sun-lords, moon-lords, and star-lords, with, possibly, a special Upper House of Legislature to look after their special interests. Not the injustice, not the absurdity, but the physical impossibility is the sole obstacle to the establishment of private property in the whole of Nature as we now find it in part. But simply because it happens to be possible to fence the land round and to claim all above it and all below it, it has been done. And yet the land is as necessary to life as the water of the sea or the light of the sun.

> "How oft the means to do ill deeds
> Make ill deeds done!"

The nature of the landlord's claim to own the bowels of the earth, with all their mineral treasures, has already been dealt with. Impolitic as it is to allow private property in the surface of the earth, it is tenfold more absurd to permit private property in the mineral deposits which lie under it. Indeed, there is no other part of the British landlord system which so emphatically manifests the supineness and indifference of the nation upon great and important questions. This indifference is not confined to the manual workers of the country. In fact, the great body of capitalist employers are apt to look with deep suspicion upon those who dare to question the landlords' claims to the mineral royalties. Said Sir Isaac Lowthian Bell, himself a very eminent representative of the mining masters, "I have not, in my experience, met a single lessee who disputes the right of the

landlord to the minerals, any more than he would question his title to the surface."

Mining lessees, and the masters in the iron and steel industry, have for a long time agitated for an improvement in the present arrangements for settling the rents and royalties on minerals, and in the course of their agitation they have disclosed some grave abuses and some serious grievances. But they have gone no further, as a general rule, than to suggest the establishment of a sliding scale by means of which the payments to the landlord should be determined by the market price of the minerals. Now, although this would be a much fairer and more satisfactory plan than the present, it would in no wise settle the difficulty. For the real heart of the evil lies in the fact that individuals are empowered to levy a tax upon the mining and kindred industries for their own private purposes, and in return render absolutely no service. Obviously that tax should be reduced as much as possible. But its payment into the right place, the National Exchequer, is of infinitely greater moment than its mere diminution.

Whether, then, the royalties are regulated by the profits gained, or by the prices realised, or fixed by the terms of the lease no matter what is the state of trade, is a much less important question than whether they shall continue to be regarded as the private property of a class of non-workers.

In Ireland, and partially in Scotland also, rents are regulated by State authorities. The landlord, in thousands of cases, is simply a rent-receiver. But will any one be bold enough to aver that the land question has been settled in those countries by those means? For, to compare the institution of private property in land (which, of course, includes minerals) with that of

private property in man, it is not enough to demand that the slave trade shall be regulated so that no man may have more than a fixed number of slaves, or that no man may enforce more than so much labour per day from his human property. The mere regulation of rents, whether of mineral or other lands, is no final solution of the problem, so long as those rents are appropriated by private individuals and applied to the satisfaction of their individual desires instead of to the advantage of the whole people.

The supreme interest in a mine is never the interest of those who have invested their capital in sinking the shaft and providing the necessary machinery, nor of the workmen who risk their lives. It is always that of the owner of the minerals, who provides no capital, does no work, and runs no risk of any kind whatever. He drives the hardest bargain he can, and he is the master of the situation. It is often urged in favour of landlordism that the tenant has the advantage of dealing with a man of sympathy who can help him with abatements in hard times, not with a soulless State whose officials must exact the last farthing provided in the bond. There is a certain amount of truth in this contention in the case of some agricultural estates, but the very man who is often ready to deal mercifully with his farming tenants generally acts on very much stricter business principles in his relations with the tenants of his mineral lands.

Many a pit has been closed, and many thousands of men have been thrown out of employment, because landlords have refused to abate the royalties, and many mining companies have lost their whole capital for the same reason. Chief Justice Lord Coleridge had a case of this kind in his mind when he gave an address

(May 25, 1887) to the Glasgow Juridical Society on "The Value of Clear Views upon the Laws Regulating the Enjoyment of Property"; an address that was a remarkable tribute to the breadth and humanitarianism of the views held by that eminent judge. He said:

"A very large coal-owner some years ago interfered with a high hand in one of the coal centres. He sent for the workmen; he declined to argue, but he said, stamping with his foot upon the ground, 'All the coal within so many square miles is *mine*, and if you do not instantly come to terms not a hundredweight of it shall be brought to the surface, and it shall all remain unworked.' This utterance of his was much criticised at the time. By some it was held up as a subject for panegyric, and a model for imitation; the manly utterance of one who would stand no nonsense, determined to assert his rights of property and to tolerate no interference with them. By others it was denounced as insolent and brutal, and it was suggested that if a few more men said such things, and a few men acted on them, it would very probably result in the coal-owners having not much right of property left to interfere with. To me it seemed then, and seems now, an instance of that density of perception and inability to see distinctions between things inherently distinct of which I have said so much. I should myself deny that the mineral treasures under the soil of a country belong to a handful of surface proprietors in the sense in which this gentleman appeared to think they did. That fifty or a hundred gentlemen, or a thousand, would have a right, by agreeing to shut the coal-mines, to stop the manufactures of Great Britain and to paralyse her commerce, seems to me, I must frankly say, unspeakably absurd."

Writing in 1885, a time of depression, Mr. Forsyth, an

eloquent land reformer, said: "Out of the eighty blast furnaces in Cumberland forty are at this moment standing idle, and the others are but partially employed. There are many causes which might have the effect of keeping these forty blast furnaces idle. They might be idle for want of capital; they might be idle for want of men willing to work. Well, the Cumberland furnaces are put out, not because of any lack of capital, for only within the last week or two a company of employers there were willing to sink £20,000 in raising iron ore, and were only prevented from doing so by the landlord's ultimatum that he would not reduce his royalty of 2*s.* 6*d.* a ton on the ore which might be raised. The company found that, with this charge, they could not raise ore as cheaply as it could be imported from Spain, and they therefore abandoned their project. At the same time there were thousands of willing men unemployed and in want."

Land unused, capital waiting for investment, labour waiting for employment. Such are the natural fruits of the all-powerful veto of the lords of the soil.

Giving evidence before the Royal Commission, Mr. Fenwick, M.P., mentioned the Choppington Colliery, in Northumberland, which was stopped for months. The masters wanted to reduce the men's wages by 2½*d.* per ton. The men offered to accept a reduction of 1½*d.* per ton. As this was not enough, hundreds of men were thrown out of employment. There is no record that the landlord reduced the royalty. Mr. John Wilson, M.P., mentioned similar cases at Wheatley Hill, Blaydon, and Sacriston. Mr. W. H. Patterson, then secretary of the Durham miners, also gave three cases of mines which had to stop through inability to pay the royalties. He said that, between 1875 and 1878, 56 collieries were

stopped and 85 partially stopped in the County of Durham. He would not go so far as to say that the high rents were the sole reason for these stoppages, but it was the opinion of the men that had the royalty rents been reduced during the depression in the coal trade many of the collieries would have been saved.

The Secretary to the Cumberland Coal Miners gave a case from his own experience. A colliery was closed whose minimum rent was £700 a year. There was overpaid for coal never got no less than £5,500. The men were willing to take a reduction of 1*d.* a ton, and if the royalty-owner would have done the same the work could have gone on. But this he refused to do, and there was no power to compel him, as obviously there ought to be.

Mr. J. D. Kendal instanced a case where the landlord fixed the royalty at 7*s.* per ton when iron ore was selling at from 30*s.* to 36*s.* When prices fell to 14*s.* he did not reduce his royalty, and the leases had to be abandoned. Assuredly, then, we need greater power to deal with an abuse of the rights of property which has such serious consequences to both capital and labour, and such power can best be exercised when the minerals are under public ownership.

Mr. William Rich, agent for several Cornish mines, told of a mine which for ten years had been worked at a loss, the royalty being about the same as the loss. The landlord refused to reduce it, and the mine had to be closed, throwing hundreds of men out of work.

The Wigan Coal and Iron Company paid £10,000 a year in royalties to the Duke of Newcastle at a time when they were making no profit for themselves.

It is a frequent complaint among lessees that they are made to pay for "shorts"—that is, they have to pay

royalty on coal or ore that they have not been able to get. The Wigan Coal and Iron Company have paid as much as £60,000 on this head.

Mr. Robert Ormston Lamb, Chairman of the Northumberland Coal Owners' Association, testified before the Royal Commission: "Cases have come under my own knowledge where a lease has run out, and the amount of shorts has been confiscated; in two instances when we renewed the lease the lessors confiscated the amount of money that we had paid in what we term dead-rent, or coal not worked."

The Barrow Hematite Steel Company had a share capital of £2,000,000. They paid £126,000 a year in various dues to three noble lords—Devonshire, Buccleuch, and Muncaster—but for years not a penny could be paid in dividends. How true is it that rent is the first charge upon every industry! The landlord comes first; the shareholder comes after him. And this difficulty of adjusting the royalties to the variations of the market is one of the gravest obstacles which the coal, iron, and steel trades have to encounter. As Sir Isaac Lowthian Bell said, by holding out for their full legal rights the landlords can see their tenants' capital vanish before they themselves feel the pinch of depression. Surely this is the exact opposite of what justice demands. For, in strict equity, rent should not arise at all until the workers in the industry have been remunerated. It is bad enough for the profits of industry and the earnings of labour to be diminished by the endowment of idleness; but it is doubly bad that the non-producer should have a prior claim to the produce on pain of stopping production altogether.

The Darlaston Iron and Steel Company, during three years, only made a profit of £2,000 a year, and every

penny of it went to the landlord in royalties. The Cramlington and Seaton Delavel Collieries employed 6,000 men and boys, and had an annual output of 1,250,000 tons. For eight years in one case, and fourteen years in another, no dividends were earned for the shareholders, but the landlords got their royalties on that enormous tonnage.

The first witness before the Royal Commission was the Secretary of the Ecclesiastical Commissioners, who are the largest mineral owners in the country. He admitted that in a number of cases where he had seen the books the royalty was as two to the profit three. But he said he did not think it unfair that the landlord should get almost as much as the man who had invested his capital in the mining industry. Then, again, there are the way-leaves.

"Way-leaves" are a very remarkable part of the charges which the monopolists of the land impose upon mining. If such a thing be possible, they constitute an extortion that is even worse than that of mineral rents and royalties. Way-leaves are of two kinds—underground and surface. They are the price per ton paid to different landlords for the privilege of carrying the minerals under or over their land. Let us suppose the case of a coal-mine where perhaps the distant workings are a mile away from the bottom of the shaft. The coal taken thence may have to pay half-a-dozen way-leaves to half-a-dozen different landlords, besides the original royalty, on its way to the shaft. Thus often a landlord may have had all the coal taken out of his property, but he may still draw a very respectable income in way-leaves, simply because the main tunnel runs through it. And then, when the coal (or ore) reaches the surface, it often happens that it has to be carried a considerable distance

to the railway or the wharf. So here, again, is another chance for the ubiquitous landlord.

Mr. Lamb gave the following facts relating to the extortionate charges which are made under this head.

Two collieries in which he was interested carried their coal over lines made entirely on way-leave arrangements.

	Acreage occupied. a.	r.	p.	Rent. £
Landlord A	1	3	2	200
Landlord A (another estate)	11	3	4	286
Landlord B	15	0	1	1,841
Landlord C	5	3	9	426
Landlord D	2	1	26	315
Landlord E	30	0	14	3,061
Landlord F	2	2	27	80

The average rent was £90 per acre, or double the fee simple value. The railway was entirely constructed and maintained by the tenants, and originally cost £150,000.

During several years they paid £23,000 a year to the owners and made no profit.

In one case the proprietors made a condition prohibiting the company from carrying coals except to two docks or staiths on the River Tyne; they only permitted the carriage of coals to Blyth or Sunderland on payment of the same way-leave rent as would have been paid if the coal had been carried to the Tyne; and this was charged, although in going to Blyth and Sunderland they do not use the way-leave. The practical effect of this was that in ordinary times of trade they cannot send their coals either to Blyth or Sunderland.

They pay all local rates, and these on their total output amounted to about 1¼*d.* per ton.

In one case the rent paid amounted to 1*s.* 1*d.* per ton including way-leaves and every description of rent, although the royalty rent *per se* was only 4½*d.*

Sir Arthur Markham told the House of Commons,

during the debates on the Budget in 1909, that he knew of a landlord who was charging £800 a year for way-leaves on coal carried across a narrow strip of his land which was no larger than the floor of the House of Commons.

Some important and valuable evidence on these points was also given to the Commission by Mr. J. D. Kendal, a mining engineer and mine lessee. He knew of many cases where prohibitory way-leaves were demanded. One particularly, in which one proprietor asked such a rate that they were obliged to go another way, and spend about twice the money in making double the length of line. Yet after that, although they had three or four different properties to go over, meaning so many different way-leaves to pay, they got a much less way-leave in the aggregate than the landlord asked for himself alone. He mentioned another case in which he was directly concerned. The landlord charged the full fee simple for the land, and, in addition, charged a penny per ton way-leave. As 120,000 tons were carried over the land every year, the landlord's toll was £500 per year beyond the ordinary market value of the land.

In another case a raised gangway was made—at the expense of the lessee, of course. The agricultural value of the land was scarcely lessened at all. But the lessee had to pay a way-leave of 4*d*. per ton. The width of this strip of land was only twenty yards. When asked by the Royal Commissioners if there were any exceptional circumstances to account for that extortionate charge, "No," said Mr. Kendal, "except that the man who pays it had no chance of getting out without paying it; he was in a cleft stick." Now, it is a common defence of this kind of thing that, if there be any hardship, the lessee has no right to complain, because he made the bargain with his eyes open, and must abide by the conse-

quences. But those who reason thus forget one very important fact—that between landlord and tenant there is no freedom of contract. The former holds in his legal grip a necessary of life which is fixed in quantity. He has an absolute monopoly. The latter, to use the expressive language above mentioned, "is in a cleft stick." He has a choice of "Take it or leave it"; a choice of two evils.

When a traveller is waylaid by an armed highwayman, and he deliberately prefers to hand over his purse in order to escape with his life, every one will see that he does so because he is not a free agent. Similar in all essentials are the above contracts between landlords and tenants. They are not bargains between equals.

No greater proof of the landlords' power to drive hard bargains need be given than the necessity for the land legislation of Ireland and the Scottish Highlands, which was the result of agitation among the rack-rented tenants, to whom freedom of contract was unknown. The landlords can always screw the rent up high enough without State aid. It was the tenants, not the landlords, who had to invoke the aid of the State to protect them from ruin. This principle may have to be extended to the tenants of other parts of the United Kingdom, and be applied not only to agricultural and town lands, but also to mineral lands. But the only effective solution of the problem is to be found in the nationalisation of the whole of the mineral resources of the country.

Two cases may be here given where the landlords charged a heavy premium for the renewal of the leases of tin-mines in Devon and Cornwall. The Dolcoath-Mine at Camborne was let for the usual term that prevails in that district, namely, twenty-one years. The lease expired in the August of 1887. The company asked for a

reduction in the royalty which was chargeable as a fixed percentage of the output, irrespective of the cost of getting it. For answer they received the following remarkable letter from the agent to the landlord:

"You must bear in mind that at the end of four and a half years Mr. Basset will have this valuable property to deal with in any way he chooses, and that he is not bound to renew the lease at all. Mr. Basset will accept a surrender of the existing lease as from January 8, 1883" (that is four and a half years before the termination, making it really a sixteen-and-a-half-years lease), "reserving one-fifteenth dues together with a quarter part of the future profits to be paid every twelve weeks, until, exclusive of dues, he has received £40,000.

"You must consider these terms as final. If they are accepted Mr. Basset will require a notification to that effect not later than April 1; if they are not accepted, the negotiation must be considered as at an end, and the lease must then run out."

In the end the landlord consented to renew the lease on the old terms upon receiving a fine of £25,000.

The Devon Great Consols mine was leased from the Duke of Bedford. The land was part of the spoils of the Church which came to John Russell as a grant from Henry VIII. It had been a prosperous mine, and the total dues to the landlord had amounted to no less than £300,000. When the lease was renewed in 1870, the Duke exacted a fine of £20,000. In the eighties it fell again on evil times, and it was on the point of stopping, said the chairman of the company. Resolution after resolution was passed at the shareholders' meetings calling upon the lessor to reduce the rate of the royalty, or to give it up altogether till the mine made a profit. After negotiations extending over a long time he ultimately

agreed to give up the royalty, but, as the chairman said, "It was the eleventh hour, and I may almost say at the fifty-ninth minute." For the five previous years it had paid no profit, but royalties had been paid to the amount of from £8,000 to £10,000.

By charges like these British industry is very seriously handicapped. In Germany the minerals belong to the State, and are very much lower than they are in England. The constituents that go to the making of a ton of British pig-iron (*i.e.* the iron ore, the coal, and the lime) are taxed by the landlord to the extent of from 3*s.* to 5*s.* or 6*s.* In Germany the total royalty charges will amount to 8*d.*, and they go into the Common Fund. In addition to that the German producer has the advantage of much lower freight rates on the State railways than are levied here by private companies. If, therefore, we do so well in spite of the handicap, how much better it would be if the handicap were removed!

It is of course to the good that the State now levies a duty of 5 per cent. on the profits of mineral ownership, and the revenue produced by that duty shows that the landlords' income from that source is nearly £7,000,000, every farthing of which is simply a legalised but unwarrantable tribute levied by them upon the enterprise and toil of other men.

Not long ago the whole nation was put to very serious inconvenience by the great strike of the coal-miners for a living wage, industries were brought to a standstill, and the poor shivered before fireless grates. In the end the prices of coal were permanently raised, but in no instance that has yet been recorded were the landlords' charges lowered. Their so-called rights to the very substance of the globe came through the contest almost unchallenged and quite unscathed.

The following eloquent lines were written by Edwin Markham, on the American Coal War, and they were equally applicable to our own:

"Out on the roads they have gathered, a hundred thousand men,
To ask for a hold on life as sure as the wolf's hold in his den.
Their need lies close to the quick of life as the earth lies close to the stone,
It is as meat to the slender rib, as marrow to the bone.

"They ask but the leave to labour, to toil in the endless night,
For a little salt to savour their bread, for houses water-tight.
They ask but the right to labour and to live by the strength of their hands—
They who have bodies like knotted oaks and patience like sea-sands.

"And the right of a man to labour and his right to labour in joy—
Not all your laws can blot that right, nor the gates of Hell destroy.
For it came with the making of man and was kneaded into his bones,
And it will stand at the last of things on the dust of crumbled thrones."

CHAPTER IX

BENEVOLENT (!) DESPOTISM

A condition of things under which the owner of, say, the Scilly Isles might make tenancy of his land conditional upon professing a certain creed or adopting prescribed habits of life, giving notice to quit to any who did not submit, is *ethically indefensible*.

HERBERT SPENCER, *Letter to the "Times,"* November 7, 1889.

The inhabitants [of the Island of Rum] are only fifty-eight families, who continued Papists for some time after the laird became a Protestant, and their adherence to their old religion was strengthened by the countenance of the laird's sister, a zealous Romanist; till one Sunday as they were going to Mass under the conduct of their Patroness, Maclean met them on the way, gave one of them a blow on the head with a yellow stick,—I suppose a cane, for which the Earse had no name,—and drove them to the kirk, from which they have never departed. Since the use of this method of conversion the inhabitants of Eigg and Canna, who continue Papists, call the Protestantism of Rum the religion of the Yellow Stick.

DR. SAMUEL JOHNSON, *Journey to the Western Islands.*

THE rule of our British squirearchy has been described by its own friends as a "benevolent despotism." In far too many cases the despotism is much more pronounced than the benevolence. Sir Henry Campbell-Bannerman was simply speaking the truth, however unpalatable it may have been, when he declared that many villagers "hardly dare call their souls their own." There is abundant evidence to prove that this is, unfortunately, a fact, and it constitutes one of the strongest arguments that can be advanced against the landlord system.

No one can say that landlords are naturally worse men than other men, or that British landlords are worse

than landlords of other nationalities. Taking them as a whole, they are probably as considerate as most men of the rights of others. Inconsiderate, intolerant, masterful, and tyrannical men are to be found in all classes, and when such men happen to be endowed with the power of inflicting harm upon others, they are apt to use it. The possession of land which is needed by other men confers such a power, and no account of the workings of the landlord system can be complete which does not deal with the ways in which that power has often been used to restrict liberty of speech and action.

We often speak of British love of fair play as a national characteristic of which we have reason to be proud. But the stoutest champion of the claim would never dream of saying that all his countrymen live up to this noble tradition. In the bravest of nations there are cowards, in the wisest of nations there are fools, in the strongest races there are weaklings, in the most honest nations there are fraudulent men, and in the fairest nations there are very many men who are unfair.

It would therefore be a miracle, if, amongst the lords of the soil, there were not many who are quick to take advantage of their position by bringing pressure to bear upon their tenants in order to induce them to act differently from the way they would act if they had their freedom. It would be a miracle if some among such landlords did not go further, and actually punish by eviction such of their tenants as were not to be "brought to heel" by less drastic methods.

The manner in which landlordial pressure is exercised varies as much as the reasons which account for its use. Sometimes it is by the withholding of an advantage, such as the construction of an improvement or an abatement of rent. Sometimes it is by the infliction of a

disadvantage, such as by the denial of land, or by actual eviction or the threat of eviction. Sometimes it is for religious reasons, sometimes for political reasons, and sometimes for private reasons having no connection either with politics or religion.

Even when the landlord's power is not exercised overtly it is known to be there, and the knowledge that it may at any time change from a latent to an active force operates to confer upon them an authority out of all proportion to their worth, their numbers, or their wealth.

The mere possession of a weapon will enable one man to become the master of many who are without one. A single desperado with a revolver can hold up a train and rob every passenger on it without firing a shot. No man knows when the pistol will go off, and every man yields his money rather than run the risk of losing his life. The ownership of land gives a man a dangerous weapon, the power of evicting those who displease him, and at any time it may go off. In many thousands of cases it has gone off, with disastrous consequences to its victims. It must, however, never be forgotten that the evil results of the power of eviction are not to be measured by the number of cases where it has been used, but by the far greater number of cases where men are kept subservient by the knowledge that it can be used if need be.

Again, it will be noticed that most cases of landlord tyranny occur in the country rather than in the towns. The reason is obvious. Ownership of town-land is sought because of the income it yields. The purchaser buys town-land as an investment. But the ownership of a great agricultural estate confers power and prestige. It is avowedly sought for those ends. The net rent

received may yield but a moderate percentage on the purchase money, but the accession of social status and political influence is looked upon as compensating for a lower monetary income than could be got from the investment of a like sum in industry.

The inhabitants of a town would never submit to such interferences with personal liberty as the inhabitants of many villages take as a matter of course. For one thing, revolt is more easy in a town than in a village. Petty tyranny could not live where big public meetings could be speedily arranged to resist it, or where the power of the press could be enlisted to expose it. For another, the ownership of the land of a town is generally much more subdivided. If one landlord were to drive a tenant out there is another landlord who would gladly take him in. Competition among town landlords is the best safeguard for the liberty of town tenants. But in many country districts there is no such competition. One man may own a whole village or a succession of villages. In such a case a notice to quit is a sentence of banishment, and woe to the farmer, or tradesman, or labourer upon whom it falls.

On bended knees and with bowed heads the tenants in olden times rendered homage to their feudal superiors, and the vogue of the bended knee and the bowed head has by no means passed away. It is said that when Sir Walter Raleigh was imprisoned in the Tower of London, his dungeon was so low that he could not stand upright in it. There are thousands of men to-day who are imprisoned in the system of private property in land which prevents the upright position. They live by the favour of the lords of the soil, not by their own right as men.

"One of the great advantages of the landowner," said the late Duke of Argyll, "is that he can choose who

shall live upon the land." And again he said, "The choice, or right of choice, of the persons who should live upon the land is the most essential of the duties and the rights of ownership."

The Marquis of Lansdowne expressed the same view when he said: "Surely what gives reality to ownership, what makes it a valuable and precious thing to many people, is that we have hitherto associated with it the power of guiding the destinies of the estate, of superintending its development and improvement, and, above all things, the right to select the persons to be associated with the proprietor in the cultivation of the soil."

This claim on the part of a handful of landlords, to say who shall live on the land and who shall not, is a claim that has only to be stated to be rejected. No more preposterous claim has ever been put forward. It cannot possibly be defended, and yet it is absolutely granted to every man who is lucky enough to buy a piece of land, or to inherit it from some one else, who either bought it or acquired it in less honourable ways. Even if this right of choice were usually exercised with wisdom and fairness, it confers a power too great to be entrusted to private individuals who are responsible to no guiding and restraining authority. For the lending of land is very different from the lending of money. A man may with absolute justice claim the right to lend his money to whomsoever he will. He is never likely to discriminate against men of different political or religious views when investing capital, and, if he did, he could do them no hurt. An industrial enterprise gets the capital it requires upon its own merits and prospects. But land is a different thing altogether. A man who has the power of lending land (the primary means of life, and absolutely limited in quantity) to his friends and

withholding it from those whom he may regard as his enemies, has a power which has worked incalculable mischief.

Those who have suffered by it appear generally to have been Liberals rather than Conservatives, and Nonconformists rather than Churchmen. This fact seems, at first sight and superficially, to narrow the issue to one of Liberalism (and Labourism or Socialism) versus Conservatism, and Chapel versus Church. It is of course something far greater than that. It is a question of freedom for all. It is above mere party. A fair-minded Conservative or Churchman cannot but condemn intolerance even though it be shown by one of his own friends.

In the citation of the following instances of a despotism that is far removed from benevolence, there is, therefore, no desire to disparage Conservatives as such, or Churchmen as such. No selection has been made with so unworthy an object. No instances have been suppressed because they might have brought Liberal or Nonconformist landlords into an unfavourable light. Intolerance is to be condemned for its own sake, irrespective altogether of the political or religious views of the one who displays it.

From time to time cases have been published in the press, and have been quoted by witnesses before Committees of the House of Commons or Royal Commissions. From such sources the following have been entirely taken, and no partiality has been shown in their selection.

THE MORAL OF THE SECRECY OF THE BALLOT

For over forty years we have had a system of voting which enables every voter to record his vote for whichever candidate he favours. Previous to that, for forty

years, the way in which a man voted was known by his opponents as well as his friends. And we have grown so accustomed to the system now in force that the reasons for its institution are apt to be lost sight of. Why have we a secret system of voting at all? The answer is that secrecy is absolutely essential for the protection of many men who are dependent upon the favour of others for their means of livelihood. The tyranny of partisan mobs and the tyranny of landlords, after forty years' trial of the old plan, made the continuance of open voting an impossibility. If all men were free, or if they were all fair, secrecy in voting would be unnecessary. The fact that it is necessary at all is regrettable, and is of itself sufficient evidence of a widespread lack of freedom.

Voting is an act of writing, the mere making of a mark, which can be done in silence. But the right to vote as a man likes is only a part of his political rights. If he may vote for his party, why may he not speak and write for his party? By the law of the land he may, but, by the law of the landlord, he had often better refrain or take the consequences. For advocacy of a cause, with voice or with pen, is a public act. The Ballot Act is no protection in cases like those, nor is anything else that falls short of giving him a right to the use of the earth, and removes him from being dependent for it upon the goodwill of another.

When Mr. Leatham moved the second reading of the Ballot Bill of 1870 (March 16) he referred to the case of a Mr. Scott, who was one of the largest farmers in the Lowlands, and one of the best. He paid £5,000 in rent to various landlords, and rented the farm of Timpendean under the Marquis of Lothian. Immediately after the previous election he was refused the renewal of his

lease because of his political views. The Marquis admitted that this was at least one of the reasons. He said, "It is perfectly true that I had many reasons for not letting the farm of Timpendean to Mr. Scott, but I should consider myself acting unfairly if I did not say at once that among them was the vote he gave at the last election." And he added, "Nor do I see why I should not make the admission."

Mr. Leatham referred to the practice that prevailed in Ireland. "Tenant farmers," he said, "are collected by the estate agent, in some instances many days before the election, placed upon strings of cars, handed over to the military, escorted as prisoners, or believing themselves to be prisoners, by horse, foot, and artillery, and all the paraphernalia of an enemy's country, to the polling place, and they are kept there in forced custody and with locked doors until the day of the poll, not even being permitted to avail themselves of the ministrations of religion, and then finally polled in the presence of the landlord or the agent."

As far back as the reign of Edward I. the evils of undue influence had made their appearance, and an Act was passed ordering that "no man shall be brought to vote by force of arms or menace"; and, by the Act of 7 Henry IV., it was ordered that "the electors shall vote freely and independently." It was not till the Ballot Act was passed in 1872 that freedom of voting was ensured by a system of secrecy. But full freedom of speech and action can only be secured by other means.

Mr. A. Russell, editor and part-proprietor of the *Scotsman*, gave evidence before the Select Committee of the House of Commons on May 11, 1869. He said: "I will state a case in Roxburgh, without giving the names. A man who was on the point of getting a renewal

of his lease voted in a certain way at the General Election, and he stated to me that the factor came to him and said that the landlord had made up his mind not to give him the lease, and that he would never give another lease on his property to any man that would vote against his (the landlord's) party; and the tenant wrote to the landlord a letter which I saw, and it was a very polite and rather submissive letter, saying that he had never been a politician, but that in his capacity of Vice-Chairman, I think it was, or a committee-man, of the Agricultural Club, he had taken up certain questions, such as hypothec and game, and that he could not decently vote against what he had done in that capacity, and also that three of his family, who were all very eminent farmers, had voted as their landlords wished them. But the landlord never answered the letter, and refused the lease. I might mention that this man is one of the most eminent farmers in Scotland.

"Another case," Mr. Russell said, "was that of a farmer who, like the other one, voted Liberal in November, and sent in his written pledge to vote again in the same way in the case of another contest. He told me that he had got a letter from his factor, asking him, as a favour, to vote for the Tory candidate, and about the same time he was told indirectly that he would not be allowed in future to sell his rye grass by auction, as it was a contravention of his lease, unless he voted Tory; and he did vote Tory, although he had voted Liberal in November, and although he assured me at the time that his principles had not changed.

"Another farmer voted Liberal in November, and sent in his written pledge in December. He told me that his landlord had pressed him very much to vote Tory, and had reminded him that he had had a favour given

him on his father's death by getting the lease transferred to his name, and he told me that he saw that his landlord would be much displeased if he voted against him, and to save trouble to the family he voted for the Tory, although he was a Liberal in principle.

"On the same estate a farmer who voted and pledged as the others had done, after the first election, when he voted for Sir Sydney Waterlow, his landlord passed him on the road without taking any notice of him, and showed his displeasure in several other ways. On the second canvass this landlord became very urgent, and told the man he had voted once to please himself, he must vote this time to please him. He had been in the habit of doing odd jobs at the big house, and he told me he concluded it would be better for him to sacrifice his principles and vote Tory, and he did so."

Shopkeepers were intimidated by the withdrawal of the custom of factors and landlords. What wonder that after the election a petition was sent up from every parish in the county in favour of taking votes by ballot, signed in some cases by two-thirds of the population of the parish!

The tyranny, which intolerant and unscrupulous landlords have in their power to exercise upon tenants who differ from them in politics, was much in evidence during and after the General Elections of 1859 and 1868. Mr. Thomas Ellis, M.P., told the Welsh Land Commission of the thrill of horror which went through the tenant farmers of Wales at that time. Well authenticated cases by the hundred were brought before that Commission, as well as before the Select Committee of the House of Commons (in 1869), whose Report convinced Parliament of the need for the secret ballot. Seven tenants on the Glanllyn Estate in Merionethshire were evicted. They were nearly

all "leading men in Chapels," who had voted for the Liberal candidate, and some of their farms were then let to churchmen and supposed Conservatives. On the same estate, the Commission says, seven other Nonconformist tenants who refrained from voting for either candidate had their rents raised by sums of varying amounts.

At Bala the landlords stood in the Town Hall to watch their tenants vote; all the tenants (except one) on two estates voted for the Conservative candidate, and this decided the election. What wonder can there be that the Merionethshire electors "petitioned the House of Commons to be relieved of the franchise or to have the Ballot adopted"! A similar petition had been previously presented by the electors of Montgomeryshire Boroughs because of the "habitual and systematic terrorism" which they suffered.

In April 1860, Miss Mary Morice, the owner of the Carrog Estate, Llanddeiniol, in Cardiganshire, addressed to each tenant a letter containing these words: "I feel myself morally bound to set before you two alternatives, and you are at liberty to choose for yourself; namely, to attend our Church service with your family and thus support its principles, or otherwise (if your conscience will not allow you to comply with my request) you must quit the farm you hold from me." At that time there were fourteen Nonconformist farmers, two Church farmers, thirteen Nonconformist cottagers, and two Church cottagers. The Commission reported that in April 1894 there were only three Nonconformist cottagers on the estate, and all the farmers were obliged, without exception, to go to church on Sundays.

On another estate the Nonconformist farmers numbered twenty in 1868, and there were only five who were

churchmen. By 1890 the twenty had dwindled to eight, and the five had grown to sixteen.

In 1869 the Gwydyr Estate was the property of Lord Willoughby d'Eresby, and the following letter from one of the trustees was quoted in the House of Commons as having been sent to each tenant on the estate: "I feel it necessary to explain that Lord Willoughby d'Eresby is a Conservative, and gives all his support to Mr. Pennant, and therefore does not consider it right that you should allow yourself to be led by others to vote against the interest of the estate on which you live, and against the wishes of his lordship." Five Liberal and Nonconformist tenants on this estate were evicted, and were supported out of a fund which was raised for the purpose of assisting the victims of landlordism at that time.

The Select Committee, of which the Marquis of Hartington was chairman, reported in 1870 as follows: "We have endeavoured to investigate some of these cases, but found ourselves involved in inquiries which unduly prolonged our proceedings, and, for the reasons mentioned above, were not altogether satisfactory. It is certain, however, that an influence, exceeding in a greater or less degree the legitimate influence which a popular and respected landlord must always exercise in his neighbourhood, is often brought to bear on tenant farmers and other voters in agricultural districts. The agent frequently holds language which the landlord would shrink from using, but which the latter does not think it necessary to disown. An instance was given where tenants who had signed the requisition to a candidate all voted with their landlord against that candidate; another, where no tenant on the estate would promise the same candidate a vote until they had received an assurance from their

landlord that they might vote as they pleased, on receiving which they all both promised and voted for the candidate opposed to the landlord's politics. The inducement to vote with the landlord may frequently proceed rather from the hope of future advantages to be conferred than from the fear of injury to be inflicted; but, of whichever character the inducement may be, we think that the influence so exercised comes under the description of undue influence, and as such ought, if possible, to be checked."

Even after the Ballot Act was passed we find cases like the following recorded by the Welsh Land Commission in connection with the 1874 election: "The Abermarlais tenants were told to assemble at the Abermarlais toll-gate, and were there decorated with red rosettes, the Conservative colours, and were marched to the polling place at Llangadock, calling on the way at the Tory committee-room to get their register number, which was given them on a card. Likewise, the tenants of the Dolgarreg Estate, then belonging to Mr. Charles Bishop, clerk of the peace for the county of Carmarthen, were assembled in a body at Llanwrda, and, after being similarly decorated, were marched to the polling place for that district."

Twenty years after that election we find the Commission stating that "we feel bound to say that, not simply a small number of exceptionally timid or prudent men, but a very large proportion of the tenant farmers in each district were deterred from coming forward to give evidence by fear of incurring the displeasure of the landlord, and therefore of possibly receiving notice to quit, or, at any rate, being placed in a disadvantageous relation to him and his agent."

TESTIMONY OF A DEAN

Much political capital was made out of the fact that the unofficial Land Inquiry Committee appointed by Mr. Lloyd George was a private Committee instead of a public one, and his opponents demanded to know if the names of the witnesses would be published. It is, of course, a matter of common knowledge that thousands of men would never dare to give evidence at all before a public inquiry. The following letter to the press from the Dean of Worcester gives a picture of village conditions which is by no means exceptional, and it explains why witnesses must sometimes be protected by anonymity:

"THE DEANERY, WORCESTER,
"*October* 17, 1912.

"Take a parish which we will call X—the instance is not altogether imaginary. The whole of the land is owned or farmed by one man; every cottage is in his hands. No one can live or work in the parish without his permission. No one is allowed to live in the parish if he, or any member of his family, works elsewhere; parents have been forbidden to send their children to a neighbouring town where more advanced education may be obtained, and have been threatened with ejectment if they do.

"The Public Authorities, which have power to intervene, at any rate as concerns sanitary matters, are useless, for the man who owns the parish is a member of the Parish Council, Chairman of the District Council, and County Councillor. Even the Church is gagged; for the local tyrant is 'People's' Warden; and if the parson ventures to suggest that mothers would be well advised to

spend more time in their homes and less in the fields, the People's Warden gives him to understand that he is going beyond his province, and that the people belong to him, and are to work when he wants them, and as long as he wants them, and for what he chooses to give them. X may be worse than most parishes; but it is only a question of degree, and, where home and livelihood are dependent upon the will of landlords and farmers, information cannot be obtained unless those who give it are sure its source will not be divulged.

"People complain of the exodus from the country, and suggest various explanations.

"The chief cause is love of freedom. In a town employment may be precarious, but a man can call his soul his own. There will be no going back to the land until the conditions of labour are altered. One step in emancipation would be the adoption of a measure for building labourers' cottages on the lines of that which has worked so well in Ireland. Men who could not be evicted by their employers would have some measure of freedom.

(Signed) "W. Moore Ede."

EVICTION OF A COTTAGER

A case was tried at Exeter on October 27, 1910, the defendant being Mrs. Ada Elizabeth Johnson, who was charged with unlawfully using undue influence toward Daniel Davey by turning him out of his cottage at Winkleigh after the General Election in January that year. He was a thatcher, and had been a tenant of the cottage for fifteen years without any complaint as to character or payment of rent. The following letter from Mrs. Johnson to her tenant was put in as evidence:

"DAVEY,

"I was surprised to see my door placarded with Liberal papers. I hope you won't allow this to happen again, and I also hope you won't support Lambert against me as a landowner, as I would not have any tenant who went against me."

The jury found Mrs. Johnson "not guilty," and Mr. Justice Bankes agreed, but, in view of the above letter, which he condemned as improper, he refused to allow costs.

A CHRISTIAN CLERGYMAN AND LANDLORD

The *British Medical Journal* of June 18, 1892, published a very instructive case as follows: "The Rev. Blackmore, rector of the parish and lord of the manor of Morchard-Bishop, Devon, was convicted at the Crediton police court of assaulting Mr. Tronson, M.R.C.S., and sentenced to pay a fine of 40*s.* and costs. The case is interesting by reason of the extraordinary conduct of defendant subsequently to the taking out of the summons against him. On receipt of this document the reverend gentleman wrote to the complainant a long letter containing, among other threats, the following passage:

"'When the Court proceedings are over, I have firmly decided to act as follows: As I am now likely to remain at Morchard through the breakdown of the negotiations for my leaving, I shall rigidly boycott you with all my tenants: and if any of them venture to employ you professionally after receiving my circular, they will immediately have notice to quit, whoever they may be. As I have eighty houses in my hands, either as rector or as lord of the manor, the effect upon your position will be pretty considerable. I shall then advertise in the medical papers, or through the agents, that there

is a good opening here for a doctor to begin practice without purchase, and I shall offer board and residence in the rectory free to any gentleman who will come and establish himself. I have only to do this to take your practice completely away, with the exception of a few personal friends you may have. Lots of the parishioners have told me they will gladly welcome a new man. . . . This is my answer to your challenge, and you ought to know *by the many defeats the farmers have met with at my hands* that when I make up my mind to a thing I leave no stone unturned to gain my end!' "

SQUIRE VERSUS DOCTOR

Dr. T. M. Watt was for twenty-three years a tenant at Hovingham, in Yorkshire. The whole village belonged to one man, and the following extract from the doctor's address to the electors before the Parish Council Election in December 1894 will explain the position:

" We in the village are under a despotism as irresponsible as that of any Czar, a rule based upon boycott and banishment, a veritable reign of terror. As in Russia, so here. Our original reading-room was open to papers of every colour, but there is now the strictest autocratic censorship of the press, obnoxious papers being ordered to be burnt by the attendant on delivery. Neither in schoolroom, club-room, nor even in the open air is any one allowed to be heard who will not say 'Wow' to the ruler's 'Bow.' Thus we are robbed of freedom of thought and speech. You are allowed to hear only *one* side of any question, and *no* side of others, so that you may grow biased, prejudiced, narrow-minded, and lean-souled.

" Freedom of action is also denied you. I have known

a man have his rent raised to coerce him into payment of an illegal Church rate over some eighteen years, though no rate had been levied on any other tenant on the estate all that time. I have known a drill-sergeant compelled to attend church, against his will and to the hurt of his own soul. Numbers of women have felt constrained to throw up the tried doctor of their choice, and to accept the attendance of strangers and of inexperienced young men fresh from the schools, because they had been assiduously canvassed, with the significant assurance that it *would be better for them* to fall in with the new arrangement. One tradesman, because in this matter he resisted personal letters and stood by his rights, was deprived of his previous Hall custom. The rights of tenant farmers, under the Ground Game Act, have been unrighteously confiscated."

And so on runs the record of landlord absolutism which is the characteristic feature of hundreds of villages in the land, whose inhabitants proudly but falsely say that they "never will be slaves." Then comes the following passage:

"To-day I stand under sentence of banishment, I and my family, from a home of twenty-three years, the only home most of them have ever known. In the absence of any reason (though such has been asked for), and in view of the unceasing efforts to filch away my practice, that date from immediately after the last County Council Election, when I had the effrontery to come forth as the friend of the people and the champion of democracy against my betters, I can only suppose that I am to be exiled because in our various local Councils I might be found, as hitherto, upholding your rights and liberties, so that it would be a good business to shift me."

A HEBRIDEAN CASE

Mr. Wilson was a solicitor and friend of the Crofters in 1889. For failing to carry out the eviction of an old man he incurred the grave displeasure of Sir John Orde, the lord of Lochmaddy in North Uist, and was himself evicted. Being by Sir John's orders refused shelter by the householders, he took up his quarters in the local hotel. A change in the tenancy of the hotel occurring, a clause was inserted in the lease prohibiting his being taken in there. The Free Church Mission House then opened its doors to him, but, after two years (in 1895), under threat of the forfeiture of the feu, he had to leave and take up his residence on shipboard, as some ministers had to do at the time of the disruption of the Scottish Church in 1843. (Vide *Daily Chronicle*, December 1895.)

A CASE IN NORFOLK

Mr. Burrell Hammond was a farmer of 400 acres on the Melton Constable estate of Lord Hastings. His farm was one of the best cultivated holdings in a part of a county famed for the quality of its agriculture. He had held it for sixteen years, and the rent was always paid with strict punctuality. He was a sportsman, he subscribed to the hunt, and made the huntsmen welcome over his fields. He never shot the hares, although legally he might have done under the Ground Game Act. But he was more than a good farmer—he was an ardent politician. He entertained the Liberal candidate, Sir Brampton Gurdon, and was his most active supporter. Lord Hastings as actively supported the Conservative candidate, Major Follett. And the very next day after the North Norfolk by-election, when the former won by a big majority, Mr. Hammond received a notice to

quit. It gave no reasons. When he asked for the reason he received the following letter from Lord Hastings:

"SWANTON NOVERS,
"*October* 16, 1900

"DEAR SIR,

"The reason that you have received notice to quit your farm is that I am anxious to have a tenant who would act on more friendly terms with his landlord, and also one not so hostile to the clergy and everything connected with the Church of England.

"Yours truly,
(Signed) "HASTINGS.

"P.S.—If you would wish to see me I am quite willing to grant you an interview."

It is not often that a landlord will so frankly give the reason for the notice to quit, but here we have the avowal in black and white. Mr. Hammond, according to the Rev. G. W. Rolfe, the rector of Swanton Novers, was a man of "singular courtesy and moderation," but, even if he had been the reverse, it is surely a bad system that places any man at the mercy of a political opponent. Was he not as much entitled to work for one party as Lord Hastings was for the other?

A CASE IN WILTSHIRE

The *Wiltshire Advertiser* (October 26, 1905) published three letters from which the following extracts are made. The first was from the Misses M. Margaret Niven and Isabel G. Niven, who, writing from The Grange, Marden, near Devizes, on September 26, 1905, to Mr. A. W. Perren, The Grange Farm, Marden, said: "You are aware that when you took our farm, we expressly stated that we wished to have a churchman as tenant, and that we had

refused to let to more than one farmer because they honestly confessed that they were Dissenters.

"As you no longer fulfil the conditions on which we let you the farm, we have expected that you would yourself offer to give it up, but since you show no sign of doing this, we hereby give you notice to leave our farm and farm premises at Michaelmas, 1906."

Mr. Perren, writing on October 9, in acknowledgment of this letter, remarked:

"I am writing a few lines acknowledging the notice to leave your farm. When I took it I know you inquired if I were a churchman. I was then, but you did not ask me if I were a Christian. Well, since then I have had my spiritual understanding enlightened, that is, I have been converted by the Spirit of God, and become His child by adoption. The same Spirit led me to the little chapel where I met with the above blessing, so you see I obeyed the voice of God rather than man, and for that reason you are persecuting me by turning me out of my earthly home. Now, as you are professing Christianity, did you seriously think before you took that step and ask yourselves the question, 'What would Jesus do?' The Scripture says, 'If you have not the Spirit of Christ, you are none of His.' I would solemnly ask you, is this action of yours prompted by the Spirit?

"The simple reason why I did not give you notice to leave when I joined the Baptist Church was that I would not insult you by thinking you expected so unreasonable a thing."

The foregoing was of no avail, for Miss M. Niven replied on October 14, as follows: "I have been away from home and had intended to ask you to come to see me on my return, as I wished to tell you how disappointed we were at your desertion of the Church. But, after

reading your letter, I think an interview would be useless, as you only seem able to see one side of the question—that is, your own. Our view is that Church doctrine is right, and that Dissent is wrong, and that we should not be doing our duty by our Church if we kept as tenant one who goes about preaching doctrine that is contrary to her teaching—that is, the teaching which has come to us through the Apostles from Christ Himself.

"You took the farm knowing that we made it a condition that our tenant should be a churchman. As you have chosen to break through these conditions, our agreement naturally comes to an end."

A CASE IN SHROPSHIRE

Mr. Fred Horne was a farmer under the late Colonel Kenyon-Slaney, M.P., and was as active on one side as his landlord was on the other. This was the rock of his offence, and the facts of the case may be summarised in the following letter which was addressed to the Colonel by Lord Stanley of Alderley in the latter part of 1905:

"In 1895 your tenant, Mr. Horne, supported Captain Owen Thomas, a tenant farmer, in the Oswestry Division, against Mr. Stanley Leighton. You then wrote to him that if he took an active part against your old friend, Mr. Stanley Leighton, it would seriously interfere with the friendly relations which should exist between landlord and tenant.

"Mr. Horne very properly replied denying your right to dictate as to his political action.

"I wonder what you would have said or thought if your tenants had written to you objecting to your supporting Mr. Stanley Leighton as likely to interfere with their friendly relations with you. It has probably never entered your head that superiority in wealth and

in social position are no excuses for political interference and dictation to others in the discharge of a public duty. In 1905, it is clear from your letter read at the audit dinner, that you resented Mr. Horne's candidature in the Ludlow Division. What your ideas of courtesy may be I do not know, but I know that *in that letter you spoke of lack of self-respect in Mr. Horne not giving up a holding since his political sentiments were offensive to you.* Subsequently you drove Mr. Horne from his holding, as is clear from his memorandum of February 6, 1905, submitted to your agent in connection with the meeting that led to the surrender of the farm.

" I must say that your action—first in denouncing Mr. Horne in your letter to your tenants for not having enough self-respect to give up his farm; secondly, in accepting the surrender on the basis of the memorandum, handed to your agent on February 6, as follows: ' Mr. Horne wishes it to be clearly understood that he is perfectly satisfied with his tenancy at Hinnington, and that he enters upon the discussion solely because Colonel Kenyon-Slaney has expressed himself dissatisfied with his presence at Hinnington '—does not seem to me consistent with the statement made by you in your letter to the *Daily News*, ' It was untrue to suggest that either directly or indirectly I gave him or had the slightest intention of giving him notice to quit.' . . .

" I consider that the concluding remarks of your letter of January 22, 1905, to Mr. Horne, ' The path of politics in which you doubt as having been wise to enter,' indicate an opinion that Parliamentary aspirations on a Radical platform are unsuitable to a tenant farmer.

" But I must conclude by saying that your claim to interfere with the political activity of your tenant, if opposed to you, your contention that such action is

incompatible with the friendly relations of landlord and tenant, and even bars social intercourse at a rent-day dinner, seem to me a far more serious invasion of the constitutional rights of Englishmen, and, what perhaps may appeal to you even more strongly, a serious danger to the interests of landlords; for an abuse of the rights of property may reasonably lead, if it became common, to a serious restriction of those rights if they proved in practice incompatible with freedom of election and the purity of our Parliamentary representation."

EVICTION OF A CHESHIRE FARMER

Mr. Thomas Parker was a Cheshire farmer, and for nearly fifty years he and his father were tenants on the Barnston Estate. Both were widely known as highly prosperous and enterprising tenant farmers. Mr. Parker received notice to quit. The following resolution, which was passed by a representative meeting of Cheshire and Border county farmers at Chester, convened to consider the best way of recognising his services as County Councillor for the Malpas Division, will explain the circumstances:

"That this representative meeting of farmers hereby expresses entire approval of the conduct of Mr. Parker in declining to be coerced either in his political principles or in matters specially affecting farmers' interests, and desires to place on record its deep sympathy with him in his eviction from Churton Hall Farm, which he and his father have occupied and improved for nearly half a century; that as Mr. Parker's loss, through changing his home and leaving behind him so much of his own improvements, has been brought on through his exercising what is professedly every Briton's right—namely, to think for himself and act accordingly—an appeal for

support be made not only to tenant farmers, but to all lovers of freedom and justice." £100 was immediately subscribed in the room. (Vide *Manchester Evening News*, April 1894.)

ANOTHER CASE IN CHESHIRE

Mr. Joseph Knowles was a farmer, and he came of a farming family which had been on the Arley Estate, near Warrington, for many generations. This estate was in the hands of Mr. Piers Egerton Warburton. In the farm agreements there were several interesting stipulations, e.g.:

Boon Work, etc.—The tenant to do four days' boon work annually, and to deliver every other year a cheese of average weight for the landlord's use.

Yeomanry Cavalry.—To furnish a man and horse for the Arley troop of the Earl of Chester's Yeomanry Cavalry.

These quasi-feudal services seem to have been rendered under stress of compulsion, as part of the farmers' bargains, and are witnesses to the immense value of freedom of contract between the land monopolist and the land cultivator.

The following extract from the *Liverpool Echo* puts the matter in a nutshell: "In the course of an interview with our correspondent, Mr. Knowles stated that his family had been on the Arley Estate for several generations. When his father died he was sent for to the estate office, and was informed that they wanted a churchman on the farm. He, being a Wesleyan, replied that he did not desire to be tied to the Church, but ought to be free to go where he pleased to worship. His father lived upon the Yew Tree Farm for thirty years, and he himself was born there. His father was a Wesleyan, as was

also his grandfather. They did not object to his father going to chapel, but when his father died, and he was coming in as the new tenant, it was then that they objected. It was not the present Mr. Warburton who gave him notice about the Church, but his father, who died last year. That notice was withdrawn. He had now received notice from the son, the fresh reason assigned being that he did not personally join the Cheshire Yeomanry Regiment raised on the estate. He had offered a substitute; in fact, to find the same man who was substitute for his father: but they would not have him. He had a distaste for soldiering, and thought he would be better employed attending to his own business. He had two interviews with his landlord about the matter, but they were very unpleasant. When parting, Mr. Warburton said he had received notice to quit, and he must go. His father had spent thousands of pounds improving the farm. Between his father and grandfather and uncle they had paid the Arley proprietors £600 a year."

RELIGIOUS FREEDOM

The right to worship according to one's own desires is an elementary one, and there ought not to be any question about it. Even the West Indian slaves, who were liberated by the Reform Parliament in 1833, were protected in that right by express enactment. Clause XXI. says, "Nor shall any apprenticed labourer be liable to be hindered or prevented from attending anywhere on Sundays for religious worship, at his or her free will or pleasure, but shall be at full liberty so to do without any let, denial, or interruption whatsoever." Happy negroes to be thus tenderly cared for by a Parliament of men of another race! But how fared it with the fellow-

countrymen of the men who passed that law? The history of the disruption of the Scottish Church, which took place only ten years later, gives an eloquent answer to the question. Many thousands of members of the Church of Scotland decided with their ministers to come out from the Established Church, and to form a Free Church of their own. But their difficulties began when they sought to buy sites for the proposed new churches and manses. As usual, most of the owners of the land belonged to the Established Church, and the majority of them absolutely refused to sell an inch to their fellow-countrymen whose only crime was their nonconformity with the State Church. So even in the depth of winter the Free Church people had to worship as best they could in the open air. The Rev. Thomas Brown, in the *Annals of the Disruption*, says, "For many years at the approach of winter, as each successive Sabbath came round, there was not a stormy wind blew from the heavens, nor a shower of snow fell, that men did not think of their brethren compelled to worship God in the open air among the cold fir woods of Strathspey or shivering on the bleak uplands of Wanlockhead. During the first winter things were left to take their course, and the congregations had to bear as best they could the perils of exposure. The second winter, however, was more severe, and when the stormy weather had fairly set in, it was felt that something must be done."

Deputations were appointed to make inquiries, and a Committee was sent to London to interview the leading site-refusers in private, in order to offer explanations, and, if possible, remove misconceptions. "We had no wish," said Dr. Buchanan, "to brand any man in the face of the public and in the face of Parliament." But this well-meant effort almost wholly failed. The leading

opponents resolutely held their ground, and Parliament appointed a Committee of Inquiry on March 9, 1847.

One of the first cases brought before it was that of Ballater, on Deeside, in the neighbourhood of Balmoral. The proprietor, Mr. Farquharson of Monaltrie, had recently died, and a site had been refused by the trustees. They said that the refusal was very painful to them, but they felt bound to refuse because they knew that the refusal was in accordance with the sentiments of "the late Monaltrie." The Free Churchmen then hired the Ballater Public Hall, but the trustees, who were the feudal superiors, got an injunction against them. Driven thus from the village, they met during the first winter on an exposed muir in the open air. Afterwards they found partial shelter in a rude sheep-cote by leave of a farmer. The place was only 9 feet in breadth, the walls were only 5 feet high, and there were no windows. They proposed to raise the walls and put on a new roof at their own expense. The trustees forbade them, so they asked permission to lower the floor, and they were then graciously permitted to increase the accommodation by burrowing in the ground.

The Earl of Seafield's Strathspey Estate was 28 miles long and 15 in mean breadth. He was "much respected and beloved. No one could be more so." But no part of the Strathspey Estate could be had for the Free Churchmen, and much suffering was caused.

Lord Macdonald steadfastly declined to sell or lease any part of his vast estates in Skye and Uist for church sites. On one occasion, the minister said, it began to snow, and, at the close, he said, "I could hardly distinguish the congregation from the ground on which they sat except by their faces." At the hamlet of Paible in North Uist the Crofters gathered together materials

and started to erect a rough shelter of turf and stone on what was called a common. The factor got together the carts belonging to members of the Established Church and removed the materials to a distance. Some of the Crofters were turned out of their holdings, and some were fined £1 and £2. He admitted to the Inquiry Committee that the landlord had given him a list, and said, "Here is a list of fellows that must have notice to quit."

The whole Island of Eigg, one of the smaller Hebrides, belonged to Professor Macpherson of Aberdeen, and he absolutely refused to part with an inch. The outgoing minister was refused a home, and the nearest place he could get was at Ornsay in Skye, across miles of stormy sea. While his family lived there he procured a small vessel, and Hugh Miller's *Cruise of the "Betsy"* records how he lived upon the waters and preached to his congregation standing on the shore. "But my friend the minister," he says, "now afloat in his Free Church Yacht, had got a home on the sea beside his island charge, which, if not very secure when nights were dark, and winds loud, and the little vessel tilted high to the long roll of the Atlantic, lay at least beyond the reach of man's intolerance, and not beyond the protecting care of the Almighty. . . . We were now at home—the only home which the proprietor of the island permits to the islanders' minister."

Over the vast estates of the Dukes of Buccleuch and Sutherland, comprising nearly two million acres, the ban applied. The Right Hon. Fox Maule was moved to write to Lord Morpeth urging him to use his influence with the Duke of Sutherland to grant sites for churches and manses. Here is the Duke's reply to Mr. Fox Maule:

"London,
"*June* 6, 1843.

"My dear Sir,

"Lord Morpeth has communicated to me your letter on the expediency of granting sites for chapels for seceders from the Church of Scotland.

"I fully agree with you in the principles you express of toleration in general, and in respect for the religious feelings of the people of Scotland, and I must always regret when it may not be in my power to meet their wishes in furthering measures which may seem to them essential, and in accordance with their zealous piety and devotion.

"Though not a Presbyterian, I have always been accustomed to consider the Church of Scotland entitled to the respect and the attentive care of all who have at heart the welfare of the people. . . . I am placed in a very difficult position, being loyally engaged to endeavour to maintain an Establishment which I sincerely respect, and being naturally disposed, as far as I can, to consult the feelings of the people, even when I consider them to have been misled and mistaken. Above all I dislike religious persecution, and I trust that I shall always be an opposer of measures tending to it, or to intolerance. I cannot but think, however, that such are at present directed against the Establishment, and that if, as a proprietor, I were to grant sites for building for the purpose of opposing the ministrations of that Church, to do which a desperate spirit has been evinced, I should not only acquiesce in, but even sanction and encourage it, and this I should consider very wrong. . . . I consider it out of the question that they (*i.e.* the new churches) should be raised whenever the Church (*i.e.* the Established Church) offers proper accommodation within reach."

He then goes on to say that he only knows of one parish where there is need for a new church, and he would be unwilling to refuse a site in such a situation. "I should require, however," he said, "an acknowledgment to be regularly made in that case, until the time, if it ever occur, of such building coming properly under the Establishment."

This letter was not published until three months later, and so some of the ducal tenants decided to try the effect of a humble petition, which reads almost more like a petition to the Deity than to a fellow-creature.

"Unto his Grace the Duke of Sutherland, K.G.

"The Petition of the undersigned delegates commissioned to represent the Parishes of Dornoch, Lairg, Rogart, etc., etc., in Sutherland, Most humbly showeth, etc., etc.

"That your Grace's petitioners, contemplating the painful prospects before them and their brethren in separating from the State . . . did anticipate that their position was more favourable than that of many others, calculating as they did on the kind condescension of your Grace. . . . That the petitioners still confidently cling to this hope, and they do most earnestly beseech your Grace to grant them their reasonable request, to enable them to follow out their deliberate and conscientious convictions of duty, founded, as they believe, on the Word of God, from which, they trust, no earthly influence shall ever induce them to deviate. . . .

"May it therefore please your Grace to consider the peculiar circumstances in which your Grace's respectful and attached petitioners are placed, and kindly to grant the prayer of this memorial. And your Grace's petitioners, in behalf of themselves, and all their fellow-petitioners, as in duty bound, shall ever pray."

(Here follow the signatures of the delegates for their respective parishes, stating the number of adherents in each parish.)

Then comes the answer :

" The Duke of Sutherland regrets that he should have received an application from some inhabitants of different parishes in Sutherland for his co-operation, under circumstances which oblige him to decline complying.

" He feels it to be his duty to maintain the Church of Scotland ; he regrets that those who have been induced to sign the application should have other objects in view ; he has no wish to interfere with the religious feelings of any, but . . . he can give no aid to any measures against the Establishment."

The whole story makes one rub one's eyes, and wonder that such territorial arrogance and intolerance should have been displayed within the lifetime of existing men. And the moral of it is, not merely that the landlords were wrong in acting as they did, but that the system of private property in land is indefensibly bad which gave them the power to do so.

It must not be forgotten that the same spirit still actuates many men and women to-day, and that the private ownership of land still exists to arm them with the power to hurt those who differ from them.

The Free Church Congress, held at Manchester in November 1892, passed a resolution on the motion of the Revs. J. Hirst Hollowell and Hugh Price Hughes, " deploring the prevalence of ecclesiastical and territorial persecution of Nonconformists in many parts of the country." One of the methods of territorial intolerance was exhibited in the village of Fraisthorpe. The Primitive Methodists in the village wrote to ask Sir Charles Strickland for a site for a chapel. He declined

to grant it, as they belonged to a party which advocated Church Disestablishment. Theirs was "an unholy alliance for an unholy purpose," and his land should not be desecrated by supporting a dissenters' chapel if he could prevent it.

In the village of Harewood, near Leeds, there stands a Wesleyan church, which was permitted to be built on the following conditions: that no printed announcements were to be placed outside it, that no persons must be baptised in it, that the sacrament must not be administered in it, and that no service must be held in it except when no State Church service was being held. The restrictions have been removed for some years, but the case is nevertheless worth recording.

It is well known that it is a condition on some estates that no Nonconformist chapels are to be built on them. At least one important chapel in London (in Brixton) is known to the writer, the site for which was only bought by "equivocal sale," and the minister cited the case of a Congregational church at Beckenham, which is built just on the outside of an estate where such chapels, public-houses, and "other nuisances" are banned.

In the debate (February 22, 1893) on the Places of Worship Enfranchisement Bill, Sir Robert Perks gave a case of a Wesleyan chapel in a Midland health resort, built on lease from a noble (?) duke, who had a clause inserted in the agreement compelling the use of the Anglican services.

NO DISSENTER NEED APPLY

Mr. Henry Labouchere, in *Truth* (October 1891), referred to the well-known Heaton Chapel case, in which Lord Egerton desired to impose some very onerous conditions accompanying a grant of land for a school. In

support of his assertion that this was not the first instance in which Lord Egerton had shown his religious bias in dealing with his land, Mr. Labouchere said: "About six years ago, Sir John Harwood, a well-known merchant and alderman, but also a Methodist in religion, and a Liberal in politics, made an offer for a vacant farm on Lord Egerton's estate. He was told by the agent that Lord Egerton's farms were only let to tenants who attended the Established Church."

In November 1894 the *Christian World* published the following circular which had just been sent to every Conservative landowner in Wales:

Private

"To the Clergy, Landowners, and Tenants,

"When the Church and all landed property are so severely and relentlessly attacked, it has become highly necessary for the clergy and the wealthier amongst the laity to know who are their true friends and loyal supporters, and to act accordingly. Landowners in particular should be on their guard as to the person to whom they let their land, and should ascertain whether candidates for their farms are the friends of order and justice or of anarchy and confiscation. At the urgent request of several persons of influence, I have opened a Conservative registry as a medium of communication between landowners wanting tenants and tenants wanting farms; and, with a view to carrying out the suggested scheme, I have to suggest that incumbents inform me of any farm vacant in their parishes; that all churchmen and Conservatives be made acquainted with the existence of such an office; and that Conservative landowners and their agents communicate with me whenever a tenant is required."

Mr. H. Lee Warner, of Swaffham, published in the press, in May 1891, the case of a farmer, Mr. H. J. Waters, who was a Liberal and Nonconformist member of the Norfolk County Council. Mr. Waters applied for a farm at Acle, and was told that "only a churchman would do." Seeing the farm was again advertised, he applied once more, and the agent closed the matter by writing, "Lord Calthorpe will not alter his decision as to having a churchman tenant for his farm."

Mr. Froude says that at one time it was a common thing for landlords to insert a clause in their leases to compel their tenants to vote as they wished them to vote. The following lease was formerly in operation on the extensive estates of the Earls of Ilchester in Somerset and Dorset:

"He, the said A. M., his executors, administrators, or assigns, or either of them, shall not, nor will wittingly or willingly permit or suffer to be erected or established on the said hereby demised premises, or any part thereof, any chapel, meeting-house, or other edifice, or apply any building at present thereon, for the assembly of worship of any sect of Dissenters from or Nonconformists with the Church of England, whether Presbyterians, Independents, Anabaptists, Quakers, Methodists, or of any other denomination whatsoever."

A MILDER CASE

In November 1911 the following notice was posted on the church door at Littleton near Guildford:

"Loseley Estate Office,
"Loseley,
"Guildford.

"I have been instructed to put the following on the Littleton Church door—Ralph Radcliffe.

"That the Squire and Mrs. Molyneux-McCowan wish

those and their families who are connected with Loseley, whenever possible, to attend service at Littleton, and worship in the steps of their forefathers. They have particularly noticed the absence of choir boys."

It reminds one of the old-time squire, Sir Roger de Coverley, who "sometimes stands up when everybody else is upon their knees to count the congregation, or see if any of his tenants are missing," and who, after the sermon, "walks down from his seat in the chancel between a double row of his tenants that stand bowing to him on each side; and every now and then inquires how such a one's wife, or mother, or son, or father do, whom he does not see at church; which is understood as a secret reprimand to the person that is absent."

A NEW LAW OF VACCINATION

The following extraordinary notice, circulated amongst the tenants of a certain estate at Wadesmill, in Herefordshire, was reproduced in the press at the time:

". . . ESTATE.

"As agent for and on behalf of . . . I hereby give you notice to quit and deliver up, on the 24th day of June 1902, the possession of the Cottage Garden and Premises which you now rent and hold of him, and situate at . . .

"Dated this 3rd day of March 1902.

"Agent . . .

"*Note.*—This notice will be withdrawn if you can, previous to the 24th of June 1902, produce evidence that you and your wife have been lately re-vaccinated, or are over the age of sixty years; that your children under the age of ten years have been vaccinated, and that your children over that age, or any lodger, have been re-vaccinated.

"No excuses will be entertained except on the ground of health, to be certified by a medical man.

"If satisfactory evidence is given that you have lost a half-day's work in attending before the Public Vaccinator a sum of two shillings and sixpence will be remitted to you on settlement of your next quarter's rent."

This amazing interference with the liberty of the subject is one more example of the effect of land being treated as private property. Vaccination has been the subject of legislation, the "conscientious objector" is legally recognised, and no person is obliged to be vaccinated more than once. Yet here is an attempt to impose a different set of conditions upon the people of a particular district.

Within the last few years party feeling has run unusually high because of a Reform Government's efforts to deal with some of the anomalies of the land laws. The suicidal folly of the House of Landlords in throwing the 1909–10 Budget out was only one sign of the times out of many. The landed interest was aroused as it has scarcely ever been before, and all its machinery of undue pressure was brought into play. Poor men were intimidated in all parts of the country by all the subtle forces that that great vested interest can command. Workmen were threatened with loss of employment, tradesmen with loss of custom, and tenants with loss of their homes. All this is strictly legal, and, even if it were not, the difficulty of dealing with it by law is well-nigh insuperable. Even when intimidation was rampant, as it was in the pre-ballot days, the introducer of the Ballot Bill (Mr. Leatham) referred to the matter in these terms:

"The revelations of the Blue Book proved the existence of every form of coercion, coercion which descends by almost insensible gradations from almost brutal violence

down to an influence which is scarcely distinguishable from that which is natural and just. And bear in mind that there is hardly one instance of them all which was brought, or could be brought, within the grasp of the law. Penal law is almost helpless in the presence of coercion. . . What so difficult to prove? What witnesses so unreliable as a discharged servant? What tale so unworthy of credence as that of an evicted tenant? For there are always plausible reasons for the discharge of servants and the eviction of tenants. Bribery you may possibly prove, but who can prove the significance of a gesture? Who can bring a frown into court?"

In the same debate, Mr. Gladstone declared that "freedom is threatened from many quarters, from the dictation and possible violence of mere numbers, as well as from the more subtle, more extensive, and more continuous action of those influences which are connected with property."

OPEN ADVOCACY OF BOYCOTTING

The present chapter may be fitly closed with a significant proof that the bitterness engendered in many minds, when propertied and vested interests are thought to be in danger, is by no means dead. And it resembles nothing so much as the snarling of a dog over a bone as it warns off possible aggressors, even though the bone may have been previously purloined.

The secretary of the Liberty and Property Defence League, soon after his party had been beaten at the polls in the General Election of January 1910, sent a letter to the Conservative Press.

"Let us," he urged, "make it known that we propose to spend our money with those who are for an England free, prosperous, and great, and that we will not willingly

transfer a penny of ours to the pockets of those who are in favour of such measures as the Licensing Bill and the Budget. For this purpose there should be no difficulty in ascertaining the politics of local tradesmen. The local Conservative agent could in every instance give this information.

"Heads of households who are prepared to move in this matter should, in transferring their custom, notify their reason for the step taken to the discarded trader and to the trader who replaces him. If this were done generally, the result would, it is believed, do more to consolidate the Conservative forces in the country than all the efforts of party organisations put together.

"And, since the wealthy and property-owning classes are the best customers of the shopkeepers and traders, these latter would soon realise that, to promote their private interests, they must associate themselves with sound principles of public policy, and not support a political party whose measures are destructive of the very conditions essential to commercial and industrial prosperity."

When interviewed on the subject he said, "The views I have expressed represent those of very many Conservative property owners who have spoken to me on the subject in this office; and I know that the withdrawal of custom from Liberal tradesmen has been practised largely."

So long as a spirit like that is abroad the only safety for the people lies in economic freedom. And nothing will do so much to win that freedom as the resumption of the control of land by the community. The landlords and their allies will then be like Samson shorn of his locks. Then, and not till then, can religious and political liberty be ensured to all. For it is inconceivable that

public landlords, elected by the people themselves and responsible to them, would attempt to make a man's religious or political opinions a test of his fitness for occupying land in the way that private landlords have so frequently done.

CHAPTER X

THE HOUSING PROBLEM

Woe unto them that join house to house, that lay field to field, till there be no place, that they may be placed alone in the midst of the earth!

Isaiah v. 8.

Is it to be credited that this crowding together of men in houses dovetailed into each other, with everything of Nature—winds, flowers, verdure, the healthy smell of earth, shut out and replaced by a thousand miasms—is it, I say, to be credited that this is the normal condition of beings born with natural cravings for activity and pure air, with an intelligent eye for Nature's manifold picturesqueness, with bodies requiring to be exercised, no less than heads? The very necessity for drains tells against us. All manure was meant directly to nourish the land it accumulates on—not to pollute our streams and rivers. Cities, as they now are, and must probably always be, are abscesses of Nature. The soil and terrestrial space are not meant for the rearing of food only, but to be dwelt and moved about on—to be daily enjoyed in all the variety of wholesome sights, sounds, and odours they afford us.

Robert Dick, M.D., *On the Evils, Impolicy and Anomaly of Individuals being Landlords and Nations Tenants.*

Oh! if those who rule the destinies of nations would but remember this—if they would but think how hard it is for the very poor to have engendered in their hearts that love of home from which all domestic virtues spring, when they live in dense and squalid masses, where social decency is lost, or rather never found—if they would but turn away from the wide thoroughfares and great houses, and strive to improve the wretched dwellings in byways, where only poverty may walk, many low roofs would point more truly to the sky than the loftiest steeple that now rears proudly up from the midst of guilt, and crime, and horrible disease, to mock them by its contrast.

Charles Dickens, *The Old Curiosity Shop*, chap. xxxviii.

We spend thousands in carrying out the separation of classes in prison; for God's sake let us try to separate them a little before they go to prison. We are afraid of the dangerous classes; for God's sake let us bestir ourselves to stop that reckless confusion and neglect which reign in the alleys and courts of our great towns, and which

recruit those very dangerous classes from the class which ought to be and still is, in spite of our folly, England's strength and England's glory. Let us no longer stand by idle, and see moral purity, in street after street, pent in the same noisome den with moral corruption, to be involved in one common doom, as the Latin tyrant of old used to bind together the dead corpse and the living victim. But let the man who would deserve well of his city, well of his country, set his heart and brain to the great purpose of giving the workmen dwellings fit for a virtuous and a civilised being, and, like the priest of old, stand between the living and the dead that the plague may be stayed.

CHARLES KINGSLEY.

No thought of pride has any connection, in my mind, with the idea of London. I am always haunted by the awfulness of London; by the great appalling effect of these millions cast down, as it would appear, by hazard on the banks of this noble stream, working each in their own groove and their own cell, without regard or knowledge of each other, without knowing each other, without having the slightest idea how the other lives—the heedless casualty of unnumbered thousands of men. Sixty years ago a great Englishman, Cobbett, called it a wen. If it was a wen then, what is it now? A tumour, an elephantiasis, sucking into its gorged system half the life and the blood and the bone of the rural districts.

LORD ROSEBERY, speech at St. James's Hall, March 1892.

IF a stranger from another planet could visit us, there is nothing that would be so likely to arrest his attention as the housing conditions of the masses of the people. For he would find that, with all the materials and all the conditions for the construction of good houses abundant, yet there is such a chronic scarcity of them that the great majority of the people are, according to any reasonable standard, disgracefully overcrowded.

We have plenty of stone and clay, and we have land lying waste that would supply all the timber that is needed. We have no lack of earth-room, no lack of capital, no lack of labour; yet houses are scarce and dear, and often miserably defective and dangerously insanitary. The need for more and better houses is so obvious that it is admitted on all hands. Social reformers, philanthropists, and statesmen recognise it and strive in various ways to meet it. Act after Act has been passed

by Parliament to deal with it, and some improvement has been made, but it still remains one of the most outstanding of society's unsolved problems. And the reason is simply this, that men have attempted to remove the evils of bad or insufficient housing without understanding the causes which give rise to them.

SCARCITY AND OVERCROWDING

Now it is impossible for any serious student of the housing question to fail to see that it is at bottom a land question; and further, that the housing difficulty is the natural fruit of private property in land. It is inconceivable that it could ever have arisen at all if the people as a whole, instead of private individuals, had had the ownership and control of land. It is inconceivable that they would ever have herded themselves in overcrowded slums and alleys if they had had the alternative which, under public landownership, they would have had, of access to all the necessary materials of which houses are made, and of the space which they ought to occupy.

Is it possible to imagine that any man would have been without a house, if the wood were his for the labour of growing and working it up, if the stone were his for the labour of quarrying and dressing it, if the clay were his for the labour of digging and baking it into bricks? Under such conditions any scarcity of houses is absolutely unthinkable.

Put a man upon an uninhabited island, and provide him with a few implements, one of the very first things he would do would be to build for himself a home. Let the island, however, be the private property of another man, so that he must not cut the timber, nor quarry the stone, nor dig the clay, nor even choose a site, without

paying for the owner's permission, and everything would be altered.

Apart from the scarcity of houses, which involves the crowding of people into them, there is an overcrowding of houses upon the land. Now, whether the area of the British Isles is, or is not, large enough to yield food for the whole of the British nation, is a debatable question, although time will probably show that, if it were cultivated as it might be, it is extensive enough even for that. But that it is at any rate large enough to render unnecessary any crowding of the homes of the people upon limited areas, is beyond any possible questioning.

It is sometimes said that overcrowding is due to the people themselves, to their lack of appreciation of spacious surroundings to their homes, and that, even if they had had the collective ownership of land, overcrowding would still have grown up until they demanded better conditions. To this contention the action of the landlords themselves is sufficient answer. They have never suffered from any scarcity of house-room, and they have always taken care to provide ample space around their homes. It is, therefore, reasonable to infer that, if the whole people had had like advantages, they would have acted in like manner.

They could not all, of course, have provided themselves with mansions and parks, but they could all have provided for themselves far better houses than they have ever had, and to each house could have been, and would have been, allotted a reasonable amount of land.

THE BEST USE OF LAND IMPOSSIBLE UNDER PRIVATE OWNERSHIP

But, with land in private ownership, the people have had no choice. They must take what is offered, or go

without altogether. For, in the eyes of the private owner, town land is looked upon simply as an instrument for the extortion of rent. That being so, the highest possible rent is aimed at as a matter of course. Now, the highest rent can seldom be got by putting land to its best use. For the best use of land means that it produces the best possible conditions for those who actually live upon it. It means that the actual occupiers shall have sufficient space for their health, comfort, and happiness. It is therefore incompatible with overcrowding.

But what the occupier regards as the best use of land is diametrically opposed to the view which is naturally taken by the owner. If he can put fifty gardenless houses upon an acre, he can get nearly five times more rent than he could if he put only ten houses upon the same site. And the choice entirely rests with him. The tenants who will have to inhabit the houses have no say in the matter at all. If other landlords were to offer better conditions they would, of course, attract tenants from more crowded areas. But as all (or nearly all) landlords are actuated by the same motive, the desire to get the greatest possible amount of rent for their particular properties, it is the natural tendency for them all to prefer a dense population, rather than a scattered one, upon their building sites.

CONFLICTING INTERESTS

Now this conflict of interests between owners and tenants lies at the very heart of the housing problem. To it is due most of the slums that disgrace our civilisation. They have all grown up upon private land, or upon land that has been dealt with upon the principles of private ownership.

Whatever improvement in housing conditions has taken

place has come from the action of public authorities in limiting and restraining the natural tendencies of private owners to overcrowd their properties, and from the action of a very limited number of owners, who, for the sake of the well-being of their tenants, have voluntarily sacrificed the potential rent-bearing capacities of their properties, and have thus departed from the practice which is followed by most other men in their position.

If unrestrained by the law, owners would build upon every available inch of their land. Every limitation imposed upon their so-called right "to do as they like with their own" has encountered their opposition, and has been carried in spite of them. But no mere building by-laws are likely to put an end to overcrowding altogether. Propertied interests are held in too much respect for that. Even the by-laws we have are administered by Councils in which such interests are predominantly represented, and it is not unknown for owners of insanitary property to sit upon, and even to preside over, the very Committees whose duty is to order its demolition.

LAND CHEAPENING INSUFFICIENT

Neither is it conceivable that the mere cheapening of land, such as is promised by the advocates of the taxation of land values, will avail, so long as the land itself is held as private property. In the first place, there is no warrant, either in experience or economic theory, for the belief that the taxation of land would effect a *general* cheapening of it. In the second place, even if it did it would leave intact the before-mentioned clash of interests between owners and tenants. It would still be to the interest of each owner to put the land to what he, and he alone, regards as the best use for it. That *some* land would

be cheaper if all land were taxed on its full and true value, is probably true. But the assumption that this would necessarily involve the putting of all land to the best use of which it is capable, is an untenable one.

Such an assumption is always based upon the theory that the multiplication of buildings is a good thing in itself. Certainly there are many places where buildings are badly needed, but there are other places where buildings ought to be prevented. In urban centres it would not be a good thing for every vacant plot to be covered with bricks and mortar. The best use of land is not always as a building site. Trees and grass, flowers and shrubs, are as necessary as houses. The mere cheapening of land makes no provision for them. But the public ownership of land does. For it implies that the community as a whole, that is to say the actual occupiers of land in their collective capacity, shall decide the uses to which land shall be put. It eliminates entirely the incentive that naturally moves a private owner, whether the land is cheap or dear, to put his own profit before the general well-being.

Public ownership of land means cheap land, but it means much more than that. It means not merely the ample provision of building sites, but also the selection of the most suitable areas for building, and the preservation of open spaces. For there are some districts that are unsuitable for the one purpose, but suitable for the other. This is far too important a matter to be left to the discretion of private owners. The mere fact that they may be taxed, instead of being exempt from taxation, would in no way be a guarantee that they would perform such duties of selection and reservation so well as the community could itself do if it were the master of its own area.

CROWDING ON CHEAP LAND

Now, the dearness of land is not the only cause of bad housing conditions. We see the very same evils where land is cheap and abundant. For though, in a town, land is withheld for purposes of speculation in the unearned increment, it is withheld also in the country districts, but for other reasons. The idea that every country labourer has at least a good garden on which he can grow fruit and vegetables for his family is, unfortunately, far from being warranted by the facts. If such gardens were so general as is commonly supposed, why has there been such a hunger in the villages for garden allotments? The gardens that ought to have been provided when the cottages were built have had to be supplied by special legislation, and labourers have often to go long distances from their homes, when their work is done, to cultivate allotments for which an extortionate rent has to be paid; a rent that is generally quite disproportionate to the rent that the farmer pays for exactly the same kind of land on the other side of the hedge.

Again and again there are to be seen, in all parts of the country, labourers' cottages built flush with the road, like the houses in a crowded city street, and backing on to a field, with no part, or but a small part, of the field allotted to them for gardens. The land is cheap enough, and there is plenty of it, but it is not to be had by the labourer at any price. Private ownership stands in the way. The labourer must live in the cottage provided for him, and be as thankful for the privilege as he can find it in his nature to be. He has no more voice as to the way he shall be housed than the horses he drives, or the cattle he tends. They also must take

what is offered, or go without, and he is no better in that respect than they are.

THE COTTAGE FAMINE

Then there is the actual scarcity of rural cottages, which is a very fruitful cause of driving men from the villages, either to the towns or to other lands. It is said that cottage-building does not pay. Does not pay whom? And why does it not pay? Here again we come to the land question. For the reason it does not pay to build cottages is that agricultural wages are so low that the average labourer cannot afford a rent that will cover ordinary commercial interest on the cost of their construction. He is engaged in a sweated industry. It is the greatest industry in the country, it is the oldest, it is the most fundamentally necessary of all. But the labourer, upon whose bent back it is carried, cannot afford to pay for decent shelter. He must be spoon-fed with charity rents, and, failing them, he must be banished from the countryside altogether.

He is the most pathetic figure in the landscape. His sad condition evokes the sympathies of all but the most callous or thoughtless. And he is so patient, with the patience of the stalled ox. He is so necessary withal, that really we must do something for him. But what shall it be?

"Put a tax upon foreign wheat and make the growing of home wheat profitable," say the landlord and the farmer, forgetting that, low as the labourer's wage is, it was lower still in the days when Protection drove food to famine prices.

"Let us build cottages for him," say others, "cottages of the cheapest and flimsiest character, and, if there be a deficiency, let the whole nation shoulder it." And the

evil is so great, and the need for remedying it is so urgent, that even this is better than leaving things as they are, even though it be but another way of subsidising wages and housing the labourers by a new species of charity rents.

But suppose we try the experiment of putting the labourer into a position to get a better price for his labour. There would then be no more need to consider schemes for supplying him with cottages at uncommercial rents than for supplying him with food and clothing at uncommercial prices. The cottage problem would solve itself. For the same law which would set him free to demand a better wage, would also set all the land free that is wanted to supply him with a home, both the site and the materials.

The more closely it is studied the more clearly must it be seen that the labourer's poverty is fundamentally due to his landlessness. He has no more right in his native village than a horse has. He is always using land, but it is always somebody else's land. He is always a hired servant. There is no hope of him becoming his own master. He has only one thing to sell, his labour, and he has always to sell it in a market that is against him. For he has no second choice. The land is closed to him. He has no second string to his bow. Hired service is his only means of livelihood. All the conditions of servitude are his. And so his wages are always the minimum upon which he can support a bare animal existence. He has no reserves to fall back upon. He is within a week of starvation if illness overtake him, unless charity comes to his rescue, and, in old age, only a meagre national pension (but a splendid precedent) stands between him and the workhouse and the pauper's grave.

The advantages which can be won by collective bar-

gaining are not for him. For a strong trade union can hardly be built up upon the poor subscriptions which he can alone afford; and the expenses of organisation are made heavy by the distances to be covered. Moreover the very idea of a trade union is entirely repellent to all the governing powers of country life. A labourer must risk home as well as employment if he dare to do that which a town workman may do as a matter of course. He is a marked man, and is likely to find himself ere long under what is practically a sentence of banishment.

A SIMPLE PRINCIPLE

How different it would be if the simple principle were established that the labourer has as much right to the land as the squire himself, and that each ought to count one, and one only, in the matter of land rights as they do at the census! How different it would be if every labourer who chose to avail himself of his chance had his cow, to provide milk for home consumption, and how much better it would be for his wife and children if they were as familiar with such a diet as now they are strangers to it. With his pigs and his poultry, his fruit trees, his sacks of potatoes and flour, the produce of his own land held in joint ownership with his fellows, he could make his bargain with the farmer on a level footing. It would be a free contract, and a fair one. Out of the fair wages which would then result he could afford a rent that would attract capital to the provision of all the cottages that were needed, and, if the community itself were to take part in so beneficial a work, it would be so much the better.

The small proportion which the value of land generally bears to the cost of the house itself is often employed

as an argument to prove the comparative unimportance of the land question in relation to the housing question. The difficulty is alleged, therefore, to turn upon the cost of construction, and the rate of interest upon capital, rather than upon the cost of land. Certainly these are very important factors. Nevertheless it remains true, that, with wages at their proper level of fair earnings, there would be no scarcity of houses, and that every man would be able to pay a rent that would cover the fair cost of construction and maintenance, and a fair commercial return upon the outlay expended; always provided that the land could be obtained on fair terms, and the value of it be applied to reduce or extinguish the taxation which now acts as a second rent.

THE QUESTION OF SPACE

It must, moreover, never be forgotten that the question of space, apart altogether from its monetary value, is one of the most important considerations in dealing with the housing problem. Take the case of two houses, built from the same plans, identical in every respect but the single one of the space allotted. Their cost is the same, the rate of interest on the capital devoted to their construction is the same. But one is built flush with the street boundary, a house adjoins it on each side, only space for a back-yard or a tiny garden is allotted to it, and all adjacent sites are developed on the same principle of making "the best use of land," as it is commonly regarded by private owners. The land may be quite cheap, but none of it is spared for the improvement of the surroundings of the house. The children have no playground except the street. The father stands at the street corner, or in the public-house, in his leisure hours.

From the same plans is built another house, but it

is set back from the street, and a little garden space is provided at the front. At the back a much more liberal allotment of ground is made. The children may play in the open air, and yet be at home under the guardianship of their parents; the mother has plenty of room for drying clothes, the father has ground for cultivating flowers or vegetables, and employing his spare time in a healthful and pleasant way in beautifying the surroundings of his home. He can take his chair out on to the grass, and smoke his pipe and read his book in the shade of his own fruit trees, and in the privacy of his own grounds. The public-house has no attractions for him.

The first house has in it the potentialities of a slum, the second of a home. The only difference is that one is built as if there were a land famine, and the other is not. And the monetary value of the extra space, even at ordinary building rates, is perhaps sixpence a week.

Now, private owners cannot be depended upon to supply the garden space that ought to be allotted to every house as a matter of course from the commencement. But, under public ownership of land, the people would decide such matters for themselves, and they would hardly fail to effect a complete transformation of housing conditions for the better.

THE RATING OF IMPROVEMENTS

But, besides the inevitable clashing of the interests of private owners and their tenants, there remains another evil arising out of private property in land which acts as a check and an expense upon building. The appropriation of land rent by individuals compels the local authorities to raise their revenues by taxing improvements. The rent of a house must therefore cover cost

of the site, cost of the construction, and the rates that are now levied upon house and site together as well.

If land were public property the income from it would render unnecessary the taxation of buildings. And, as the erection of a good house would not be penalised by the imposition of a tax in proportion to its value, this would tend to the cheapening of houses and the lowering of rents. To a certain extent this very exemption would tend to add to the value of the land, and, under private property in land, the advantage that ought to accrue would be largely nullified. But, under public ownership, the resulting increase in the value of land could be controlled, and, in any case, it would be given back to the tenants again in public services.

To sum up, it is seen that the present land system, in one way or another, is the prime cause of low wages in the country, and consequently in the towns too, of the withholding of land from building, and of the further artificial enhancement of rents by the rating of improvements. No mere modification of that system, which leaves the land still in the control of private owners, will prevent either the crowding of too many people into the houses, or the crowding of too many houses upon limited areas, or will remedy the shortage of houses which has such disastrous consequences upon the health and even the character of the people.

The community must itself take possession of the land, gradually if need be, and, giving fair compensation according to a plan to be hereafter explained, become the owner of every building site in the country, and of all the natural reservoirs of all the materials of which houses are made. And, it having these, the housing difficulty will vanish and become a memory only, and a wonder to coming generations that it ever existed at all.

CHAPTER XI

THE AGRICULTURAL LABOURER

Thou shalt not muzzle the ox when he treadeth out the corn.

Deuteronomy xxv 4.

The husbandman that laboureth must be first partaker of the fruits.

2 *Timothy* ii. 6.

In time it is likely the world will be better divided, and he that has the toil of ploughing will have the first cut at the reaping.

FROUDE, *Life of Carlyle*, vol. ii. p. 16.

Theirs is a life of incessant toil, for wages too scanty to give them a sufficient supply of the first necessities of life. No hope cheers their monotonous career: a life of constant labour brings them no other prospect than that, when their strength is exhausted, they must crave as suppliant mendicants, a pittance from parish relief.

PROFESSOR FAWCETT.

Many sweating, ploughing, threshing, and then the chaff for payment receiving,
A few idly owning, and they the wheat continually claiming.

WALT WHITMAN,
"Song of Myself," in *Leaves of Grass*, p. 68.

Bowed by the weight of centuries, he leans
Upon his hoe and gazes on the ground,
The emptiness of ages in his face,
And on his back the burdens of the world.

EDWIN MARKHAM, in *The Man with the Hoe*.

Abundant is the earth—the Sire of all
Saw and pronounced that it was very good.
Look round: the vernal fields smile with new flowers.
The budding orchard perfumes the sweet breeze,
And the green corn waves to the passing gale.
There is enough for all, but your proud Baron
Stands up and, arrogant of strength, exclaims:
"I am a Lord—by nature I am noble;
These fields are mine, for I was born to them,
I was born to the castle—yon poor wretches,

Whelped in the cottage, are by birth my slaves."
Almighty God, such blasphemies are uttered;
Almighty God, such blasphemies believed.

ROBERT SOUTHEY,
Speech of John Ball, in *Wat Tyler*, Act II., Scene 1.

Landless, joyless, restless, hopeless,
Gasping still for bread and breath,
To their graves by trouble hunted,
Albion's Helots toil till death.

EBENEZER ELLIOTT, in *Corn Law Rhymes*.

If you want to raise the general condition of the whole people, you must begin with the lowest stratum; and at the present time I do not hesitate to say that the toil which is least remunerative is that of the agricultural labourer. I am convinced that you can look for no great improvement in the general condition of the working classes until the just claims of the labourers have been satisfied, and the steady depopulation of the country has been completely stayed.

Why, England is no longer "Merrie England" since the labourer was divorced from the soil he tills. How to restore him to the land is the land question with which the great mass of the English people are chiefly concerned.

JOSEPH CHAMBERLAIN, speech at Bradford, October 1, 1885.

This Convention believes that the land is the inalienable inheritance of all mankind; and that therefore its present monopoly is repugnant to the laws of God and nature. The nationalisation of the land is the only true basis of national prosperity.

Declaration by the Chartist Convention in 1848.

OF all the social problems which confront British statesmen, and cry aloud for solution, there is not one of greater importance and urgency than that which is connected with the condition of the agricultural labourer. Engaged as he is in the production of the very first necessaries of life, his labour is so ill requited that he remains in a state of chronic poverty. His wages are only enough to provide the very barest and poorest food, clothing, and shelter for himself and family. Only by the exercise of the greatest possible thrift is he able to live at all.

Scattered in thousands of hamlets and villages, he has never been able to secure the advantages of collective

bargaining by means of which the miner, the engineer, the carpenter, the compositor, the mason, the bricklayer, the iron-worker, and the cotton operative have been able to obtain at least some part of the benefit which the progress of industry as a whole has made possible. Yet his labour is as valuable to the country as theirs is, and he also is as much a skilled workman as they are.

Every census records a reduction in his numbers, a reduction that is only partially explained by the increased use of agricultural machinery, or the attractions of town life, or the lure of other lands. A hundred years ago, three out of every four of the population lived in the country. At the present time three out of every four live in the towns.

The towns have been fed with a constant stream of men who find no scope for their activities in the fields, and the villages have been, and are being, steadily depeopled. Cottages have been pulled down and few fresh ones erected. The land has gone out of cultivation, and that which is cultivated is labour-starved.

THE RURAL EXODUS

Allowing for the differences of classification in recent censuses, and for the reduction in the numbers of women engaged in agriculture, and for the good laws that send children to the school instead of to the field, the reduction in the numbers of farm workers presents a very serious problem.

Whereas in 1861 there were 1,284,000 men and 373,000 boys under twenty, at work on the farms of Great Britain, in 1901 there were only 988,000 men, and 238,000 boys under twenty, so employed. And the latest census will certainly show that a further reduction has taken place.

In all other industries the number of workers has gone up steadily in proportion to the population and to the increased wealth of the country. In agriculture alone, not only have the numbers of workers failed to increase, but they have actually declined. And of those that remain, the proportion between those who are engaged in tilling the land and those who are merely engaged in tending the animals that graze on it, is very different from what it was fifty years ago. There are fewer ploughmen, but there are more shepherds. And it is little comfort to find that while there are fewer food-growers there are more gamekeepers.

EFFECT ON TOWNS

The effect that the rural exodus has upon the conditions of life and labour in towns is to be seen in the forcing up of town rents, and it undoubtedly operates to keep town wages from rising to the level they might otherwise reach. And the problem of unemployment in towns is certainly intensified by it. For although the incoming countryman is not usually himself unemployed, he forces other men, less reliable and less strong, into that condition. Thus out of 141 unemployed dealt with in one year by the Abbey Mills experiment of the Mansion House Committee, 94 were Londoners, 17 were men from other towns, and only 30 were countrymen. In the struggle for work the weaker goes to the wall, and the countryman gets employment by crowding out his fellows who have been deteriorated in physique and habits by the influences of town life.

STARVATION WAGES

Even if we take the Board of Trade Returns we find that the wages of farm labourers are much below what

is necessary for the proper sustenance of a man, his wife, and his children. But there is abundant evidence to show that those figures, which were mainly supplied by landlords and farmers, do not represent the true facts of the case. Dr. H. H. Mann made a very thorough investigation for the Sociological Society into the wages paid in a typical Bedfordshire village, Ridgmount. He proceeded on the same strictly scientific lines that were followed in Mr. Charles Booth's historic inquiry into life and labour in London, and Mr. Seebohm Rowntree's valuable inquiry into the condition of the people of York. He did not gather and average a few facts from men who are interested in presenting them in the most favourable light, but he collected all the facts available for one area.

He excluded all old labourers and youths who were not earning a full man's wage. And he arrived at the figure of 14*s.* 4*d.*, or, excluding foremen, 13*s.* 7½*d.* per head per week for the sixty-five agricultural labourers whose earnings he investigated, as against the official Bedfordshire average of 16*s.* 2*d.* per week.

"The labourer," says Mr. Charles Roden Buxton, in the *Contemporary Review*, August 1912, "first rises above the poverty line when he begins, or a sufficient number of his brothers begin, to earn wages. He can secure sufficient food, clothing, and shelter until he is a married man and has two children. Then he again sinks below the line, and does not rise above it a second time till most of his children have left school and begun to earn wages. Ere long the young wage-earners begin to leave home; old age draws on; the second period of prosperity is over, and he crosses the poverty line once more, never to emerge again above it."

Mr. Buxton found that the wages in Northampton-

shire and Oxfordshire were generally 10*s.*, 11*s.*, and 12*s.* per week, and the men have to lose time in wet weather. Hundreds of them go home at the week-end with only 8*s.* for the week. Allowing for all extras, their average weekly wage is only 12*s.* per week. "Take a man," he says, "with a wife and three children, and deduct the following items of expenditure from his wages, which must be deducted before the question of food can be dealt with. I find the rents of cottages average 2*s.* 6*d.* per week; a hundredweight of coal is necessary, and that is 1*s.* 4*d.*; the man's club is 6*d.*, and clothing, etc., 9*d.* That means 5*s.* 1*d.* to be deducted from his wages, and that will leave 6*s.* 11*d.* for food for the family. With a family of five, they will require 105 meals in the week; $\frac{3}{4}d.$ per meal would amount to 6*s.* $6\frac{3}{4}d.$, so there is a balance of $4\frac{1}{4}d.$ left out of the 12*s.*"

The marvel is, not that so many labourers have left the villages, as that there are so many still remaining there. It is a standing miracle how they live at all. For life is one long self-denying ordinance for them. It is a continual problem of learning how to do without things.

But it was not always so, as the marvellously thorough researches of Professor Thorold Rogers show in the clearest possible manner. At one time every labourer had "his pig in the stye, and his fowl in the pot." For he had not then been divorced from the soil. Whereas the duty of Government is now recognised to be the enabling of the labourer to get better pay, the efforts of Governments for centuries were always directed to preventing him from doing so; which proves that, but for those sinful interferences, he was able to safeguard his own interests by reason of the economic freedom which access to land gave to him.

THE STATUTES OF LABOURERS

With his common rights intact, and helped by the scarcity of labour which resulted from the devastations of war and plague, he was able to command a wage which, compared with the wages of to-day, gave him a rude plenty of the necessaries of life. Left to the ordinary processes of free bargaining he could always have won for himself a good living. But it was not to be. "Man's inhumanity to man" stepped in to prevent it, and the sinister Statutes of Labourers robbed him of his right to sell his labour in the best market. Instead of Government fixing a minimum wage below which he must not fall, it fixed a maximum wage above which he must not rise. His wages were settled, not by the natural law of supply and demand, but by the unholy and unnatural law of restrictions imposed by Justices of the Peace, who, as landlords and employers of labour, were interested in making labour as cheap as possible. He was bound to work for those who would offer the statutory wages (23 Edward III.). He must work in summer where he dwelt in winter (25 Edward III.). If he fled into another county he became an outlaw (34 Edward III.). If he escaped to the towns he was treated as a fugitive slave, and had to be given up. Children serving in husbandry till the age of twelve years must remain in husbandry till the end of their lives (12 Richard II.). By the same Act, artificers and apprentices were compelled to work in the fields in the harvest.

Labourers could not be engaged for the week, only for the year (4 Henry IV.). They must be sworn in the Court Leet to serve, or be set in the stocks (7 Henry IV.). Heavy fines were imposed for breaches of the

law, but they fell on the labourers only (4 Henry V.). Not till the reign of Henry VIII. were the fines imposed on the *givers* of "excessive" wages. They must engage themselves in a public place. For refusing to work in harvest they were put in the stocks, and women also were obliged to serve in the fields (5 Elizabeth). By an Act of George II. (20 George II. c. 19, s. 2) Justices were empowered to punish servants on the complaint of their masters, and, eleven years later, this power was extended to the cases of all who were employed in husbandry.

But the wicked Wages Acts, above referred to, were not the only agencies by which the landlords of England kept the labourers in poverty. In another direction their action was just as disastrous. As lords of the soil they alone had the right to determine the use to which it should be put. It is the very essence of private property in land, and it remains to this day practically unimpaired.

SHEEP VERSUS MEN

In the fifteenth century British wool began to be in demand by the craftsmen of the Continent, and, in increasing quantities in the next century, it was exported. The landlords discovered that it paid them better to grow grass for sheep rather than food for men. Common lands were enclosed, small holdings were destroyed, arable land was converted into pasture, rents rose, and the landlords said that all was well. For grass grows by itself when it is once started, there is no expense of production after the first cost of laying it down, and a few men can tend great flocks of sheep. So the rents rose as the wages bills fell.

But how fared it with the people?

> "Ill fares the land, to hastening ills a prey,
> Where wealth accumulates, and men decay."

Their homes were pulled down, and they wandered over their native country as vagrants. As they could not live by their work, they could only live by begging or by theft. And, as they stole, they must be hanged. For property must be preserved, and law and order must be maintained.

The peasants revolted again and again, and every revolt was suppressed with every conceivable barbarity. In the reign of Henry VIII. it is said that no less than 72,000 of these poor disinherited men were hanged.

Noble-hearted men like Sir Thomas More, than whom there is none that should be held in greater honour, saw the cause of the evil, but their warnings and appeals fell on deaf ears.

"Wherever it is found," said More in his *Utopia*, "that the sheep of any soil yield a softer and a richer wool than ordinary, there the nobility and gentry, and even those holy men, the abbots, not contented with the old rents which the farms yielded, nor thinking it enough that they, living at their ease, do no good to the public, resolve to do it hurt instead of good.

"They stop the course of agriculture, destroying houses and towns, reserving only the churches and enclosed grounds that they may lodge their sheep in them. As if forests and parks had swallowed up too little of the land, those worthy countrymen turn the best inhabited places into solitudes; for when an insatiable wretch, who is a plague to his country, resolves to enclose many thousands of acres of ground, the owners, as well as the tenants, are turned out of their possessions, by tricks or

by main force, or, being wearied with ill-usage, they are forced to sell them.

"By which means, these miserable people, both men and women, married and unmarried, old and young, with their poor but numerous families (since country business requires many hands), are all forced to change their seats, not knowing whither they go; and they must sell almost for nothing their household stuff, which could not bring them much money, even though they could stay for a buyer.

"When that little money is at an end, for it will soon be spent, what is left for them to do, but either to steal and so to be hanged (God knows how justly), or to go about and beg? And if they do this they are put in prison as idle vagabonds; while they would willingly work, but can find none that will hire them; for there is no more occasion for country labour, to which they have been bred, when there is no arable ground left. One shepherd can look after a flock, which will stock an extent of ground that would require many hands if it were to be ploughed and reaped."

Bishop Latimer, in his sermon before Edward VI. on March 8, 1549, complained bitterly of the depopulation which the landlord's greed for rent had brought about. All kinds of meat were dear because they were in a few hands, and were held back for a high price. "Furthermore," he said, "if the King's honour, as some say, standeth in the great multitude of people, then these graziers, inclosers, and rent rearers are hinderers of the King's honour. For where there have been a great many householders and inhabitants, there is now but a shepherd and his dogs: so they hinder the King's honour most of all."

To such a pass had the unholy quest for high rents,

regardless of the consequences, brought the country, that a special prayer was ordered to be read in the churches in 1552:

"We heartily pray Thee to send Thy Holy Spirit into the hearts of them that possess the grounds and pastures of the earth, that they, remembering themselves to be Thy tenants, may not rack or stretch out the rents of their houses or lands, nor yet take unreasonable fines or moneys, after the manner of covetous worldlings, but so let them out that the inhabitants thereof may be able to pay the rents, and to live and assist their families, and remember the poor. Give them grace also to consider that they are but strangers and pilgrims in this world, having here no dwelling-place, but seeking one to come; that they, remembering the short continuance of this life, may be content with that which is sufficient, and not to join house to house and land to land to the impoverishment of others, but so behave themselves in letting their tenements, lands, and pastures that after this life they may be received into everlasting habitations."

Whether or not the landlords joined in this prayer, or what were their thoughts if they did, history does not record, but certainly, although they had it in their power to answer the prayer themselves, it made no difference to their conduct. Not till over three hundred years had elapsed was a better way discovered, when Fair Rent Courts were established in Ireland, and the best of all ways, the abolition of private property in land, has yet to be tried.

The preamble to the Act of 25 Henry VIII. c. 13, which was intended to put an end to the continued depopulation of the country, is as follows: "Forasmuch as divers and sundry persons of the King's subjects of

this realm, to whom God of His goodness hath disposed great plenty and abundance of movable substance, now of late within few years, have daily studied, practised, and invented ways and means how they might accumulate and gather together into few hands, as well as great multitude of farms as great plenty of cattle, and in especial sheep, putting such lands as they can get, to pasture and not to tillage, whereby they have not only pulled down churches and towns, and enhanced the old rates of the rents of the possessions of this realm, or else brought it to such excessive fines that no poor man is able to meddle with it, but also have raised and enhanced the prices of all manner of corn, cattle, wool, pigs, geese, hens, chickens, eggs, and such other, almost double above the prices which have been accustomed; by reason whereof a marvellous multitude and number of the people of this realm be not able to provide meat, drink, and clothes, necessary for themselves, their wives, and children, but be so discouraged with misery and poverty that they fall daily to theft, robbery, and other inconveniences, or pitifully die for hunger and cold; and as it is thought by the King's most humble and loving subjects that one of the greatest occasions that moveth and provoketh those greedy and covetous people so to accumulate and keep in their hands such great portions and parts of the grounds and lands of this realm from the occupying of the poor husbandmen, and so to use it in pasture and not in tillage, is only the great profit that cometh of sheep, which now become to a few persons, hands of this realm, in respect of the whole number of the King's subjects, that some have four-and-twenty thousand, some twenty thousand, some ten thousand, some six thousand, some five thousand, and some more and some less by the which a good sheep for victual that

was accustomed to be sold for two shillings fourpence, or three shillings at the most, is now sold for six shillings, or five shillings, or four shillings at the least; and a stone of clothing wool, that in some shires in this realm was accustomed to be sold for eighteen pence or twenty-pence, is now sold for four shillings or three shillings fourpence at the least; and in some counties where it hath been sold for two shillings fourpence or two shillings eightpence, or three shillings at the most, is now sold for five shillings or four shillings eightpence at least, and so raised in every part of this realm; which things, thus used be principally to the high displeasure of Almighty God, to the decay of the hospitality of this realm, to the diminishing of the King's people, and to the let of the cloth making, whereby many poor people have been accustomed to be set on work; and in conclusion, if remedy be not found, it may turn to the utter destruction and desolation of this realm, which God defend."

But, in the face of the fact that sheep paid the landlords better than men, all the efforts of the State to induce them to put the good of the country as a whole before their own, failed, and were bound to fail. Even the excellent provision of an Act of Queen Elizabeth in 1588, that every labourer's cottage was to be provided with four acres of land, became a dead letter. The labourer was a landless outcast, and he remains so to this day.

THE ROBBERY OF COMMONS

But, for a long time, the labourers who remained in the villages, although they had not an inch of freehold, had certain rights over the common fields and the wastes of the manors, and those rights were invaluable to them. And so vast was the acreage over which their

rights at one time extended, that, in spite of the continual process of encroachment upon them, legal and illegal, it still represented about a fifth of the total area of England and Wales at the end of the seventeenth century.

In the eighteenth century, from 1709 to 1800, 1,176 separate Inclosure Acts were passed; between 1800 and 1845 there were 1,997; and between 1845 and 1869 there were 946 separate commons enclosed under the general Inclosure Act of the former year. In a large proportion of cases the Acts did not state the acreage, and so it is impossible to tell what was the total area of common land taken into private ownership by those Acts, but the lowest computation puts it at nearly 5,000,000 acres, and some authorities put it much higher.

Now it cannot be denied that the principles under which the use of the commons was regulated did not promote the best possible production, but at any rate they afforded advantages to the labourers which were not compensated for when they were enclosed. And it would have been quite easy for them to have been fenced in, and yet for them to have remained common property.

"The rural labourers," said John Stuart Mill, at the inauguration of the Land Tenure Reform Association, in 1871, "had once (it was a long time ago) a very substantial benefit from the waste lands. Most of them occupied cottages on or near some common or green, and could feed a cow or a few geese upon it. The cottager had then something, though it was but little, that he could call his own; he did not absolutely depend for daily food on daily wages or parish assistance; when the common was taken away he had to sell his cow or his geese, and sink into the dependent, degraded condition of an English agricultural labourer. He often got no compensation; when he did, if it was even a

little bit of land, he was soon cheated out of it or persuaded to sell it, the money was quickly spent, and his children were no better for it. They would have been much better for the cow and the geese."

Referring to the destruction of the rights of the poor in the old common lands of England, Alfred Russel Wallace thus writes in his Autobiography:

"To those that had much, much was to be given, while from the poor their rights were taken away; for though nominally those that *owned* a little land had some compensation, it was so small as to be of no use to them in comparison with the grazing rights they before possessed. In the case of all cottagers who were tenants or leaseholders it was simple robbery, as they had no compensation whatever, and they were left wholly dependent on farmers for employment."

> "We put in gaol the man or woman
> Who steals the goose from off the common,
> But let the greater felon loose,
> Who steals the common from the goose."

Even when the labourers and small holders had the commons, they were often grossly interfered with, and prevented from enjoying their rights to the full. Giving evidence before the Select Committee in 1844, the Rev. Richard Jones, one of the Tithes Commissioners, said: "There is nothing more unjust than the way in which the common rights are exercised. . . . Mr. So-and-So, living near a common, keeps it to himself, and the people at a distance get nothing by it; in some cases, as I have said, one party hires individuals to keep others off." He spoke of "the scenes of violence and of quiet injustice which seem to be going on everywhere." The weak went to the wall.

The same witness said, "There are various Acts which

say that a certain quantity of land may be set out for the poor in compensation, but I know of none except private Acts where it is said it *must* be set out."

In the course of the next twenty-five years there were 600,000 acres of common land enclosed, but only 2,000 acres were allotted to the poor.

BENEFIT OF ALLOTMENTS

Yet a Select Committee had reported in 1843 that the allotment system was of the greatest possible benefit to the labourers, as the following extract will show:

"The evidence which your Committee have received upon the benefits of allotments has been of uniform tenor, and has led them to conclude that the tenancy of land under the garden allotment system is a powerful means of bettering the condition of those classes who depend for livelihood upon their manual labour, whether in manufacturing or agricultural employment. . . . The practice of parcelling out fields in small allotments may be traced back to the end of the last century, and was advocated in the publications of Sir Thomas Bernard; but it was not till 1830, when discontent had been so painfully exhibited among the peasantry of the southern counties, that this method of alleviating their situation was much resorted to. It was then adopted by many benevolent landowners, and the Labourers' Friend Society was formed for disseminating information respecting it.

"The desire of obtaining the tenancy of land appears to be universal among the mechanics and artisans of manufacturing towns and villages, as well as among the inhabitants of rural districts; but, in both cases, the difficulty of procuring land has opposed a continuous obstacle to the gratification of this desire."

The Committee referred to the hand-loom weavers of the Midlands who banded themselves and paid a penny a week towards a general fund, "without any definite prospect of meeting with a landlord willing and able to accommodate them. Your Committee were sorry to learn that in many places these hopes have been ultimately disappointed."

But even this Committee, which was entirely sympathetic with the labourers' modest aspirations, could not bring itself to recommend that compulsion should be applied to unwilling landlords. Nearly fifty years were to elapse before that principle was embodied in the Allotments Act of 1887.

The evidence showed that the usefulness of the existing allotments was much reduced by the fact, that they were often far from the homes of the men, and that extortionate rents were often charged for them. So they recommended that allotment land should be near the cottages, and they went on to say: "Though the land will yield larger profits under this mode of cultivation than under the usual method of tillage, the proprietor who wishes to benefit the poor man should not exact more rent than he could expect to receive if he let it out to be farmed in the ordinary way." But this was, of course, as ineffectual as the Fair Rent prayer in the Primer of Edward VI.

And mark what the Committee said about the advantage of giving the labourer access even to a small patch of ground, which was all he dared to ask for, and that with "bated breath and whispering humbleness."

"The system of garden allotments has proved an unmixed good. It has increased the produce. It has enabled the labouring man to turn his leisure moments to profitable account in raising wholesome food for his

family, a rood of ground frequently producing vegetables enough for six months' consumption.

"Many striking instances have been stated to your Committee where the possession of an allotment has been the means of reclaiming the criminal, reforming the dissolute, and of changing the whole moral character and conduct. It partly supplies that deficiency of innocent amusement and rational recreation which weighs so peculiarly upon the lower classes of this country, and which must be counted among the causes that lead to the prevalence of crime.

"The field garden has attractions for the working man strong enough to relieve the monotony of a life of hired toil, and to dispel the listlessness and discontent which are often its accompaniments. It withdraws him from a dependence for amusement on the society of the alehouse."

One witness, a farmer at Hadlow, said that of 3,000 heads of families holding allotments in Kent, not one was committed for any offence during the years 1841 and 1842. In the parish of Hadlow there were thirty-five commitments to gaol in 1835. The allotment system was introduced in 1836, and in 1837 the commitments were reduced to one. "Since then," he said, "we have had among the tenants of the Labourers' Friend Society about fifteen of those who were in prison in 1835, and there has been no cause of complaint against them since we have had them."

The riots and rick-burnings of 1830 and subsequent years were the only way the disinherited farm labourers had of calling attention to their sufferings. Kept in ignorance, for even if they had but a little knowledge it would be a dangerous thing to those who fattened on their poverty, and denied a voice in the making of the

laws which they were called upon to obey, what wonder that they rose in revolt! And it never seemed to occur to the landlords, who had then the monopoly of law-making, and for long afterwards the predominant voice in it, that all the trouble might be remedied by the application of a simple principle of ordinary justice, by granting them access to the land on their own account. Instead of that, the governing powers, acting with far greater ignorance than the unlettered labourers did, could only think of forcible repression, transportation, and imprisonment. The poor wage of the labourer was supplemented with rates-in-aid, and the burden of taxation was increased to breaking-point.

In 1889 the present writer wrote to the rector of Cholesbury, in Buckinghamshire, for confirmation of certain published facts about the good results which were stated to have followed upon the granting of allotments to the labourers there nearly sixty years before. The following interesting reply was received, and is valuable as the evidence of an actual eye-witness of what took place:

"CHOLESBURY RECTORY, TRING,
"*January* 30, 1889.

"DEAR SIR,

"In reply to your letter of the 28th inst., addressed to 'The Rector of Cholesbury,' inquiring if I can render any information 'respecting the Allotment System, established in this parish during the lifetime of the Rev. H. P. Jeston some fifty or sixty years ago,' it will, I think, surprise you and furnish you in part with the information you solicit, if I give you a short extract from the sermon I preached to my people last Sunday, on reaching my ninety-third birthday. My text was 'We bring our years to an end like a tale that is told'; and,

after a few common-place remarks upon the rapid flight of time, I observed, ' Fifty-eight of these fast revolving years have passed since I became the duly appointed minister of this little parish. Sad and distressing indeed were the tales the first three or four years of my ministry had to tell of the people committed to my charge. From circumstances over which they had little or no control, they had fallen into the lowest depths of poverty and want. With very few exceptions they had become a community of paupers. Out of a population of little over a hundred, no less than sixty-four were in receipt of parish relief.

"The following painful incident is recorded, as showing the mental agony which the want of bread for a wife and child can inflict on an honest and industrious man. I was on a visit to a sick parishioner when my notice was attracted to a person leaning over a gate, and sobbing like a child. It was John Norris, one of the most industrious labourers in the parish. ' John ! ' I exclaimed, ' what is the matter ? '

" Raising himself slowly up from the gate, and turning to me a face so utterly full of despair that I have never forgotten it, he replied, ' Oh, sir, it is a fearful temptation to a man who has been out all day seeking work and cannot get any, to come home in the evening and find a wife and child crying for bread.' Of course I tried to comfort him, telling him better days must soon come. Little did I know how soon my words would be verified. A society, recently established for bettering the condition of the agricultural labourer, hearing of the great distress in Cholesbury, and that its poor were maintained by rates-in-aid, came and purchased over thirty acres of land, and allotted it to the able-bodied men, from one to four acres each ; furnished them with seed, etc.,

and, moreover, paid them weekly wages for working on their allotments, till the exhausted land could make them a return. Thus, at once, their condition was changed from poverty to a state of comfort, surpassing that of labourers in the adjoining parishes. And it is worth recording, that, of all the allotment men, John Norris was the first to become the proud possessor of a cow.

"From that time to this, God's blessing seems to have rested on the parish. There is now not one pauper in it. All are supporting themselves by their industry, free from the humiliating thought of being a burden on the parish. . . .

"Yours faithfully,
"H. P. JESTON."

But a philanthropic society was necessarily limited in its operations, and the landlords and farmers continued to stand in the way, for they saw clearly enough that, if labourers had access to land, they would inevitably become less dependent on hired service, and would therefore be in a position to demand higher wages. Unfortunately, their antagonism has not been worn down by the lapse of time. The private owner, and the farmer, who hires the monopoly of land from him for the time being, are still reluctant to surrender their privileges, and still oppose the establishment of a free peasantry upon the soil.

But to all rules there are exceptions; one of the most striking being the generous policy adopted by Lord Tollemache on his Cheshire and Suffolk estates. In Cheshire he allotted three acres of grass land to each labourer, and these were the original "three acres and a cow" allotments. In Suffolk he built 300 cottages with

three bedrooms each, and allotted half an acre of garden to each of them.

A FREE (!) CONTRACT

Other landlords who granted ground for peasant cultivation sometimes imposed restrictions which are very eloquent of the power of landlordism, as in the following "Rules and Regulations for letting and managing land belonging to the Right Hon. the Earl of Normanton, in Crowland," published in 1902:

"(10) No occupier shall work on his own land after six o'clock in the morning, or before six o'clock in the evening, without the written consent of his master, when in employment, nor when out of employment if he has refused or neglected to obtain work, or begun to work and then left it.

"(11) Each occupier shall, with his family, attend some place of worship once, at least, every Sunday, and shall enforce the attendance at Sunday school of all his children of a proper age. . . .

"(19) Occupiers keeping their families regularly at home when capable of servitude ineligible."

DIFFICULTIES OF GETTING LAND

A Parliamentary Paper (Cd. 3468) was published in 1907, giving extracts from the evidence which had been put before various Committees of Inquiry in proof of the difficulties with which all attempts to place men on the land are confronted.

Mr. C. A. Fyffe, Estates Bursar of University College, Oxford, said that it was "extraordinarily difficult to get land from farmers for small holdings and allotments." He referred to an owner of 15,000 acres in Sussex, "who will not part with any land at all, or allow any houses

to be erected on it. That land might as well be in Central Africa for any connection it has with England. That means absolute stagnation over an area of twenty square miles."

Mr. Sampson Morgan, secretary of the National Fruit Growers' League, said, "We had fifty young men with capital who wanted small holdings. They had from £50 to £250 each. The first case I tried was at Canterbury. The stipulations were fatal to fruit-growing. The landlord would not grant a lease, only an agreement for three years; further, he would not consent to have his grass broken up to be worked with the spade; he would sooner keep it unlet. It is unlet still. The second case was at Staplehurst. The grass must not be broken up, and the landlord would only grant a yearly tenancy. The third case was near Sevenoaks. I offered to take ten acres at 10s. an acre more than the owner wanted for the whole fifty-five acres. The offer was refused. He would only let it as a whole, and would only give a lease of three years." And Mr. Morgan added, "We have not been able to place one of these fifty young men on the land, and have had to enter into negotiations with a view to them emigrating to the colonies." Mr. R. T. Reid, Q.C., M.P. (afterwards Lord Chancellor Loreburn), said that powers of compulsory purchase were absolutely necessary in order to establish men on the land. "Every one knows that there are some parts of the country in which, from territorial reasons, or from other reasons, I know not what, landlords will not part with their land. *I know a case myself in which a whole valley is in that position.*"

A witness from Lincolnshire said that owing to the difficulty of getting land in small holdings, a higher rent was obtained than it was really worth. He had fifty

applications for a farm of thirty-two acres from a single advertisement.

A witness from Herefordshire had eighty applications for a small farm of forty acres, and over fifty for one of twenty acres. He added, "We have many large estates of 7,000 to 10,000 acres, but the owners are large game-preservers and prefer to have large farms rather than small holdings."

Everywhere it is the same, and the whole difficulty is seen to be due entirely to the system of private property in land. The marvel is that the nation has so long tolerated a handful of men being empowered to stand in the way of the uplifting of the labourers and the proper utilisation of the natural resources of the country.

Mr. Richard Winfrey, who has taken a very important part in the allotments and small holdings movement, investigated the condition of nineteen parishes round Spalding from 1885 to 1887. There were only 160 acres of allotments over the whole area of 143,576 acres. But the labourer, enfranchised in 1884, had become a force to be reckoned with, and the Spalding by-election was fought and won on the question of allotments in 1887. The Allotments Act of that year established for the first time the principle of compulsion in regard to labourers' garden allotments, and within eight months 1,600 applications were registered. In ten years the number of allotment-holders advanced from 200 to 2,000, although the rents were usually 50 per cent. higher than farmers' rents.

FOOD ALLOTMENTS FOR SLAVES

In contrast with the way in which landlords and farmers have steadfastly prevented the English labourer from having access to land, even in small quantities, the

Act for the Abolition of Slavery, passed in 1833, may be cited. The whole of the southern counties of England were then in revolt, but no remedial measures were thought of for Albion's helots. Yet, when the chattel slaves were liberated, Parliament recognised the value of land to them, and enacted that they should have the right to allotments of land that they might produce food for themselves in their spare time. And, that they should not be overworked, it was provided that their maximum working week should be forty-five hours. Fifty-four years were to pass before anything was done for the so-called "free" English labourers in the legislative provision of allotments, a minimum wage or a maximum working week is still in the air, and even the advantage of a Saturday half-holiday has yet to be won.

All over the country there is the same steady drift from the village to the town. As Colonel D. C. Pedder, a remarkably clear-sighted and sympathetic writer on rural questions, said, in the *Contemporary Review* for June 1902, "Every labourer who has any self-respect left, brings up his boys from early childhood to look forward to the time when they will be able to get employment 'on the works' or on the railway, or even as errand boys—anything but the land. The future of the country labourer is in the hands of men who have no thought beyond their own immediate profit and enjoyment, and the consequent degradation of the labourer is horrible to contemplate.

"There is land enough for the happiness of all, town folk as well as country folk, in the measure of their requirements, and, as population increases, the land is progressively shut up. It is nothing less than national madness."

Sir H. Rider Haggard, a leading advocate of small

ownerships, has given many cases in proof of the widespread character of the decay of the villages. On one estate in Herefordshire he found only 162 cottages on the whole of the 10,000 acres. This means that only one man is employed, taking all kinds of occupations, for every 62 acres. Out of an average attendance of 100 lads, the schoolmaster said that not more than 12 stayed in the parish, and that these were for the most part "dullards." In the parish of Hope, with its population of 510 (say 100 houses), there were no fewer than 37 houses which had in them no child of an age to attend school. In the richest part of Herefordshire there was a farm of 180 acres. It used to pay £300 in rent, but is now "worked" by the farmer assisted by one boy.

THE COTTAGE FAMINE

And then, in regard to the housing conditions of the villages, take the village of Great Witchingham, cited by Dr. Gilbert Slater in the *Contemporary Review* for September 1902. The Sanitary Committee of the Rural District Council reported:

"That of the seventy cottages in the village, six had three bedrooms, fifty only two, and fourteen only one. In four cases out of the six provided with three bedrooms, the third bedroom was only a small dark space partitioned off from another room;

"That there were only two cottages suitable for a mixed family of boys and girls;

"That there were eight serious cases of overcrowding;

"That eighteen of the cottages ought to be condemned as unfit for human habitation;

"That the entire water supply came from shallow wells in soil saturated with sewage;

"That sanitary arrangements were either bad or non-existent."

Miss Constance Cochrane investigated the condition of two typical villages near St. Neots. In one of them the population was 430.

"Thirty cottages had only one bedroom each.

"In one of these cottages a man, wife, and eight children slept in the one room.

"(On one occasion four children with measles sleeping in one bed.)

"One living-room downstairs. No pantry or scullery.

"Cottage never visited or inspected by Medical Officer or Inspector of Nuisances.

"In another cottage—man, wife, and six growing-up children. Room full of beds; obliged to dress one at a time; no standing room.

"In same village, deep open sewer ditch (serving as drain for half the village) close behind a dozen or more cottages. Most offensive in hot weather.

"Front of cottages on high (by) road. Complaints made for fifteen years; nothing done; cottages all occupied; no others to be had. In three of these twelve cottages seven cases of scarlatina at the present moment; no other cases in the village. There are no isolation hospitals in the neighbourhood."

Take, again, the case of Potterne, in Wilts, where a Local Government Board Inquiry was held on May 23, 1912, and which is referred to at length by Mr. F. E. Green in his *Tyranny of the Countryside*. Husband and wife and five children, whose ages range from 9 to 28 years, living in a house with two bedrooms only.

Husband and wife and four children, all over 14 years —two bedrooms.

Husband, wife, and five children, 21 to 38 years (four sons and one daughter)—two bedrooms.

Husband and wife and seven children, 7 to 12, and grandmother—two bedrooms.

Husband, wife, and four children, 1½ to 13—one bedroom.

Husband, wife, and three children, 7 to 19—one bedroom.

Husband, wife, and three children, 2 to 7—one bedroom.

Widower, two sons, 17 and 20, three daughters, 9, 11, and 13—two bedrooms.

Husband, wife, and five children, from 10 downwards —two bedrooms.

Two families (two husbands and wives) and a lodger —two bedrooms.

Husband, wife, and seven children, 2 to 14—two bedrooms.

Husband, wife, and eight children, 2 to 18—two bedrooms.

And so the black record runs on, revealing a ghastly state of overcrowding in a rural village, where health and common decency are made difficult, if not impossible. To such a pass has landlordism brought this once "Merrie England" of ours.

At the little village of Lindsell in Essex the people met in November 1908 to demand a house-to-house inspection, and the adoption by the Rural District Council of the Housing of the Working Classes Act. The parish has an area of 1,939 acres, so there is plenty of land. In 1901 the population was 187. In 1908 it was 150. There had been only one wedding, but there had been many funerals. One of the farmers said he had eight single labourers working for him, and they all wanted to get

married, but there was no cottage for them to go to, so, unless something is done for them they will all, in time, drift away from their native parish.

No clearer proof of the fact that private landlords will never, of their own free will, satisfy the land hunger of the people, can be found than the results achieved by the Small Holdings Act of 1907. The permissive Act of 1892 was practically a dead letter. Nothing but compulsion was of any use. The "may" was changed to "shall" and "must." Now there are 18,000 small holders installed on the land, and nearly 200,000 acres have been made accessible to the people who would never have got the land at all so long as they had to depend on the good-will of landlords and farmers. That Act points to the way by which the land of our country may be forced out of the grip of its present monopolists, and be made available to all men who desire to win their food from it, or to establish their homes on it. For it embodies the sound principle that the supreme interest in land is the public interest. It denies the right of landlords to treat the land as their own property. It brings land under the control of its rightful owner, and makes possible the revival of country life. And it must be extended until the private landowner is a thing of the past.

Serious evils call for drastic remedies; and what evil is more serious than the present condition of the country labourer?

Reviewing the long record of his oppression, it is impossible to escape from the fact that it has always been solely due to the denial of his birthright in the land. Our Saxon forefathers had a saying that "A landless man is an unfree man." It is as true to-day as it was then. The horrors of Putumayo, the atrocities of the

Congo, were all traceable to the same simple cause. They were not due to the power of capitalism, but to the power of landlordism. With access to land a man is a free man. Without it he is a slave, for a landless man is a helpless man.

And just as the mastership of the rubber forests of South America and West Africa gave some men mastership of the poor natives, so the mastership of the broad acres of our own land has given to certain other men the mastership of their fellow-countrymen who depend upon it for their very lives.

This is the great iniquity that must be ended, that the farm labourers may be installed as joint and equal part-proprietors of their native country, and be given the chance to rise to a state of comfort, happiness, and freedom.

CHAPTER XII

LANDLORDS AND FARMERS

The landlord, in return for rent abatements, expects a certain amount of deference and compliance in various matters from his tenant. Not only does the farmer meet him half-way on questions of shooting rights, and allow free passage to the hunt, but his political support of the landlord is not unfrequently reckoned on with as much confidence as the performance of the covenants and conditions of the tenancy itself. In the case of holdings from year to year it may be not unfairly said that being of the landlord's political party is often a tacit condition of the tenancy.

Sir Frederick Pollock, *English Land Laws*

It is still not unusual to insert in leases many clauses and covenants which are inconvenient to the tenant and useless to the landlord. They are not observed, but they have the mischievous effect of giving the landlord too much power over his tenant. This is not peculiar to Ireland. I have seen copies of English leases which would make it very difficult for a tenant to manage his farm with profit if he did everything which by the terms of his lease he was bound to do.

Judge Longfield.

Then there is the question of the game laws. I cannot believe it possible that any Parliament freely elected by the whole people will tolerate the continuance of this anomalous—I would even say of this barbarous—legislation, which is intended to protect the sports of the well-to-do.

Joseph Chamberlain,
Speech at Warrington, *September* 8, 1885.

The fox-hunting spirit is so strong among us that we shall carry it on whatever happens. If fox-hunting goes down, in my opinion down will go the British Empire with it.

The Earl of Pembroke,
Speech at annual puppy show of the Wilton Hunt, *July* 1, 1910.

Though I am unable to take any active part in the coming election in North Dorset, I should wish the very good feeling which has always

existed between my family and yourself to be further maintained by your support of Sir Randolf Baker, the Conservative candidate.

LORD ALINGTON, letter to each of his tenants, in January 1905.

[The obvious inference is that "the very good feeling" would be endangered if the tenants voted contrary to Lord Alington's wishes.]

WHENEVER the system of private property in land is criticised, its defenders always say that it is absolutely necessary because of the security it confers and the incentives to industry which it offers. When it is urged that the State ought to be the sole landowner, they reply that private ownership of the land is imperatively necessary if a man is to make the best use of it.

But the system which is defended by such arguments affords no such security, and offers no such incentives to the actual users of land. For the main business of improving the land is now carried on, as it has been for centuries, not by owners but by tenants. And the great majority of them have not even the temporary protection of a lease, but are tenants-at-will, subject to, at most, a year's notice to quit. For the mass of the people there is now no hope that they can ever attain a greater interest in land than a tenancy.

When, therefore, the defenders of landlordism aver that tenancy is necessarily inferior to ownership, they implicitly condemn the system which is now in existence and which denies to the overwhelming majority of the nation any chance of occupying land at all except as tenants of the minority who own it.

This new-born preference for ownership is, of course, perfectly understandable, and it will deceive no one who takes the trouble to learn the facts. So long as no serious attack was made upon landlordism, most of those who are now loudest in their advocacy of small

ownerships were quite content with things as they were. It was not until some change was seen to be inevitable that they had anything but praise for the existing order of things. Until then the system of landlord and tenant was the best of all possible arrangements in the best of all possible worlds. But, seeing that the old order of things must at last fall by its own weight, they naturally prefer that, at any rate, its central principle, private ownership in land, should be maintained.

The truth of the matter is that the great monopolists of land desire to strengthen their position. They realise that they are too few in numbers to withstand successfully the onward march of modern democratic ideas, and they welcome the proposal to create a numerous body of small landowners, who may be relied upon to resist any further encroachments on the privileges which they have hitherto possessed unchallenged.

Therefore, partly because of recent and prospective land legislation, and partly because of the higher prices which landed property in the country now realises, they are very willing to part with at least some of their great estates, and are anxious that the State itself should step in and advance the purchase money which the farmers could not themselves command. But always provided that there is no compulsion, and that compensation shall be on the very liberal scale which has always characterised such transactions in the past.

The landlords and farmers, however, are not the only ones to be considered in this matter. The question of how the land is to be held rests, not with them only, but with the whole nation. The artisans of the towns and the labourers of the villages have as much right in the matter as they have, and it is their duty to insist that, when the land changes hands, it shall become the in-

alienable property of the community. For, apart from the fact that the natural resources of every country ought to be common property, it is to the interest of all classes that they should be held under a system that will provide the best results in the production and distribution of the wealth which they yield. And the best results are not obtainable under private property in land, whether the ownerships are large or small.

When the unjust steward, in the Scripture parable, saw that he was likely to be called to account, he proceeded to make friends among his master's debtors by handing over to them his master's property. The possessors of the nation's land, seeing many signs that the nation is likely, ere long, to demand its own, seek to ward off the evil day by dividing up some of the land among their tenants. It is a very astute move, and, if it were to succeed, the masses of the people would be kept out of their rightful inheritance for generations to come.

We have already seen how the enormous powers which the ownership of land confers upon landlords have been used by them in many ways for their own aggrandisement, and to the hurt of the people. In their dealings with the users of agricultural land they have been governed by exactly the same principles as in the case of urban land, but the procedure has often been tempered in the former case with a consideration that is rarely shown in the latter.

In this respect the farmers of England and Scotland have been more fortunate than the farmers of Ireland have been. For their landlords are of the same race as themselves, and are generally resident upon their country estates, for at least a part of the year; both of which conditions have been absent in Ireland. Consequently

they have more sympathy with, and a better understanding of, farmers' needs. They are often actuated by a spirit of *noblesse oblige*; they recognise, to a certain limited extent, that property has its duties as well as its rights; and they have shouldered the duty, which Irish landlords habitually shirked, of constructing the main permanent improvements of their farms.

Landlordism has therefore been seen at its very best in England. Yet, when all is said in its favour that can be said, the results are such that they cannot but condemn it in the mind of any man who is not blinded by the glamour which surrounds and preserves most ancient institutions, however defective they may be.

As agriculture (broadly interpreted) is the oldest industry, so also is it still the largest, and its prosperity is of fundamental importance to all the rest. For, in common with mining, which is the other great primary industry, it is concerned with the extraction of the raw materials from the earth, and all the secondary industries are dependent upon them. Upon the harvest of the earth, of the field, the forest, and the mine, rests the whole trade of the country. Not merely the food and the clothing and the houses of the people, but their whole employment and purchasing power also depend upon these two fundamental land industries. The whole of the textile industries of Lancashire and Yorkshire are fed by the fields either of this or other lands, the whole of the furnaces and foundries and engineering trades are fed by the mines, and the whole of the manifold trades of the wood-workers are fed by the forest. If the raw material runs short all the manufacturing trades are starved. And both the great industries which produce the raw material are at present hampered by the grip of landlordism.

The fact that we derive so large a proportion of our food and raw material from other countries is apt to make men underestimate the importance of the productions of our own land. Yet it is only by means of the productions of our own land that those of other lands could in the first instance be obtained. Our power to get cotton from America to feed the mills of Lancashire, wool from Australia to feed the mills of Yorkshire, timber from Norway and Sweden, and so on with the thousand-and-one foreign products which pour into our ports from abroad, is solely traceable, in the first instance, to the export either of our own raw materials or of the manufactured articles which our craftsmen made from them. For we can only acquire the things we cannot (or do not) produce for ourselves by exchanging the things we can and do. And even the imports that come in payment of interest on our foreign investments, or as the earnings of our world-wide carrying trade, are the fruits, in the first case, of our own produce and our own work upon it.

The prosperity of the farming industry (mining has already been dealt with) is, therefore, a matter which so closely affects the well-being of the whole people that it can never be allowed to be dealt with by those who are actually engaged in it as if it concerned them alone. And, particularly, as the farmers have shown themselves completely unable to secure from their landlords, by their own action, the conditions which are essential to its success. For instance, no other business men in the world would tolerate the insecurity of tenure which has always been the leading characteristic of agricultural tenancies, or the confiscation of their improvements, or the interference with them in the conduct of their business, or the pressure brought to bear upon

them for political or other reasons that have no connection with farming at all.

It seems almost incredible that the great majority of farmers, who are shrewd enough in the bargaining of the market, have never been able to win for themselves any deeper interest in the land they cultivate than a tenure terminable at the will of the landlord on a year's notice to quit, and that, until the Legislature came to their aid in 1883, they could be evicted on a six months' notice to quit. On the face of it it is obvious that the best results are impossible under a tenure so precarious. Even when the crops can be gathered within a few months of the sowing, the uncertainty of such a tenure is utterly inadequate to offer any inducement to a farmer to make the best use of the land, and for crops, such as fruit trees, that require a longer time to ripen, it offers no inducement at all.

Further, until the Agricultural Holdings Act of 1875 was passed, farmers had no right at all to any compensation for any improvements which, notwithstanding the uncertainty of their position, they might have been tempted to make. The result was that they did as little as possible. And, even when that Act was passed, it did little good, inasmuch as it was permissive in its operation. The principle of compensation was admitted, and no more. For landlords were empowered to contract out of the liability to which they were in theory subject. Nearly all of them did so, including even the promoter of the Act, and it became a dead letter. And the farmers continued to be robbed of their improvements on the old and pernicious principle that everything which is placed on the land becomes the property of the landlord. The confiscation was bad enough, but the extent of the evil was not to be measured by the improvements

which the landlords seized so much as by the improvements which they prevented.

When, therefore, the landlords take credit to themselves (as many of them may reasonably do) for the good they have accomplished in the improvement of agriculture, it must be remembered against them that the ill they have done in other ways has far outweighed the good. For they tied the farmers hand and foot, rigidly restricted them to certain courses of cropping, and deprived them of the power of initiative which is essential to success in all departments of life.

Until recent times, whenever the Legislature regulated the relations between landlord and farmer it was always to strengthen the landlord's position. By various Acts of Parliament, commencing with the Agricultural Holdings Act of 1883, and ending with the comprehensive consolidating Act of 1908, the landlord's rights have been gradually circumscribed and brought into closer harmony with justice. But whatever benefits the farmer now enjoys have come to him, not as the freewill offering of the landlord, and not as the result of his own bargaining, but by the action of the State for his protection. And it is also noteworthy that they have come, in the main, not from the political party which the farmers have generally supported, and which always poses as the farmers' friend, but from the party which they have generally opposed.

Considering the way in which they have been consistently treated for generations, the political devotion of farmers to the landlord's party is at first sight an enigma. But it is no enigma when the position is examined. For the farmer is absolutely dependent on the goodwill of the owner of the soil. Whether he shall have permission to carry out certain improvements

(not all), and receive compensation for them if he leaves them behind, depends on the landlord's consent. Whether some necessary relaxation of the stringent terms of his agreement is to be allowed is for his landlord to decide. Whether he is to receive a temporary abatement in his rent if the season has been a bad one, rests with the landlord alone. And, apart from the influence which the latter exercises, owing to his power to withhold an advantage or a favour, there is the further power to inflict a positive disadvantage, as by a notice to quit, or by an increase in the rent.

Bearing these facts in mind, it is not to be wondered at that the farmers are passive where they ought to be restive, and apparently contented when they ought to be openly discontented. How otherwise could their blind political allegiance to the landed interest be explained ?

For the heavy hand of landlordism has been laid upon agriculture, and only by the action of the State has its pressure been relieved. Until the Act of 1883 was passed the landlord had power to turn the farmer out on a six months' notice (it is now twelve) ; to distrain for rent in arrear for six years (he is now limited to one year) ; to confiscate every improvement made by the farmer himself ; to seize for rent the machinery which the farmer might have hired from another, or the horses or cattle which had been taken in to graze, and even the horses or cattle belonging to other men which might have strayed through a gap in the fences upon the land of a tenant who had not paid his rent ; and, where the farmer might have broken (even if inadvertently) the terms of the agreement, to impose penal rents which were often far greater than the damage actually done.

The Irish farmer, since 1881, the Scotch Crofter, since 1886, and the Scotch small-holder, since 1911, have enjoyed the advantage of having their rents revised by statutory courts, and, judging by the reductions made by them, the tillers of the soil have been systematically robbed and impoverished by the conscienceless exactions of the landlords in the past. But it is generally taken for granted that, at any rate in England, the landlords are as lenient as in the other cases they have been clearly proved to be oppressive. For reasons already given it is probable that rack-renting is not so universal in England as in the other cases, but, even here, Fair Rent Courts are urgently needed for the protection of the farmer, and to assist in the ascertainment of the basis upon which the land may safely and advantageously be taken out of the control of private landlords and placed under public ownership.

Stress is always laid by landlords and their friends upon certain cases, exceptional in their character, where the expenditure of the landlord has absorbed a very great part of his receipts.

The Thorney and Woburn Estates of the Duke of Bedford are the leading examples of this. In 1897 the Duke published *The Story of a Great Estate*, giving the receipts and expenditure on those estates from 1816 to 1895, and he said, "It will be seen that at the present time an annual loss of more than £7,000 a year is entailed on their owner."

Now it is quite obvious that there must be some special circumstances in a case of this kind. For either an undue and unnecessary amount of money was spent in buildings and management, or a proper commercial rent was not charged, or there was a combination of both these factors to produce such a result. That the farmers were paying

less than the commercial rent is proved by the following fact:

A few years ago the Duke of Bedford decided to sell the Thorney Estate, and the Board of Agriculture offered to buy it for the purpose of meeting the demand for small holdings, the land being very suitable for them. The Board offered £750,000, as the fair capitalisation of the true rental value of the estate, but, as the then rents did not cover even a moderate interest on that sum, the Board naturally declined to incur the odium of raising them, and asked that the Duke should himself do so. For he would himself have received a sum which was based upon what the tenants were in a position to afford. He refused to sell on those conditions, and the negotiations fell through. But he afterwards sold the estate to the farmers for a larger sum, and they are now paying in interest a much higher rent than they formerly paid. But to argue, from a case like this, that landlords as a rule charge less than the full rent, is to argue that one swallow makes a summer. The assertion that they generally exact the full rent, or more than the full rent, is not disproved by the citation of a few cases where they do not. It is as illogical as the reasoning of the country Justice of the Peace, who acquitted a prisoner of the charge of committing an alleged offence, on the ground that, while only two people saw him do it, a dozen witnesses swore that they did not.

The reason why the Dukes of Bedford have been able to act in an exceptional manner towards their farming tenants is, as one of them once put it, that they happen to be the owners of "a few lodging-houses in Bloomsbury." With an enormous rent coming in from their town tenants they can thus afford to be very tender with their farmers. And the town tenants, at any rate,

have to pay full commercial rents, if the farmers do not. The former are, in fact, made to pay for the privileges of the latter.

That there is a real need for the establishment of Rent Courts is proved to the hilt by the evidence that was brought before the last Royal Commission on Agriculture. From that evidence the following particulars are taken:

On a large and well-managed farm of 827 acres, on Salisbury Plain, the labourers received on an average £774 and the landlord £956, for the ten years from 1868 to 1878. In the next fifteen years the landlord took £10,814 in rents, and the tenant *lost* £1,381. "But for the private means which my father and I possessed," said the tenant, "we could not have lived on the returns of the farm."

Mr. Wilson Fox, a Sub-Commissioner, examined the accounts of a number of representative farmers who farmed high. "Consequently," he said, "these accounts can only be regarded as the best samples, and do not represent those of a more struggling class, handicapped by want of capital." Among these "best samples" are the following:

From 1883 to 1893 a Lincolnshire farmer, on a farm of 474 acres, paid £452 a year in wages, and £478 a year in rent. His own average profit was £15 a year, to cover wages of superintendence and interest on his capital of £3,055. The landlord took 20*s.* an acre, and the farmer took 8*d.*

On a farm of 320 acres, from 1885 to 1894, the landlord took over £2,000. The farmer received no interest on his capital of £2,309, and no wages of management, and he actually lost £465 in the ten years.

On a farm of 491 acres, the labourers received £499

a year, the landlord £645 a year, and the farmer lost 10 per cent. of his capital of £3,400.

On a farm of 1,200 acres, the labourers received £1,249 a year, the landlord £1,579, and the farmer lost £400 of his capital in ten years. A reduction of 10*s.* an acre in the rent would have given the farmer a profit of £300 a year, for management and interest on his £7,400 of capital. But the reduction was withheld.

"A splendid farm, ably managed, and in prime condition," 837 acres, paid the landlord £13,887 in fifteen years, and the total profit to the farmer, who had invested over £10,000 in the farm, was £55, or an average of £3 13*s.* 8*d.* per annum.

A Norfolk farm of 750 acres paid the landlord £7,964 in ten years, and the total profit to the farmer was £225 in that time.

A well-worked fen farm of 565 acres in Cambridgeshire paid the landlord £3,690 in five years, and the tenant lost £1,676.

A farm of 869 acres paid the landlord £2,629 in two years, and the tenant lost £83.

A Lincolnshire farm of 1,600 acres paid to the landlord £1,700 in rent, and the tenant lost £232.

Another farm of 812 acres paid the landlord £1,017 in rent, and the tenant lost £302.

Another of the Sub-Commissioners, Mr. Pringle, reported that "with the exception of two or three cases even the more favourable balance sheets do not give the farmers anything like a fair commercial return." For instance, where a farmer made a profit of £168 he paid £603 in rent. Another had a profit of £194, and paid £344 in rent. And another lost £152 and paid £543 in rent.

By the friends of landlordism the utmost is always

made of the landlords' abatements, but all the facts go to prove that such abatements are not adequate and are not given in time. Farmers pay rent out of capital long before they get a reduction, and, when it is made, it usually takes the form, not of a permanent reduction, but of a temporary remission which can at any time be withdrawn. A revision of rent by a Fair Rent Court is obviously preferable to a system of voluntary abatements which are uncertain, intermittent, capricious, and savour too much of charity.

Further, it must always be remembered that, although rents were reduced at length, after many farmers had been ruined, they had been steadily screwed up before that, and that the better a man farmed the more he was penalised.

Mr. James Howard, M.P., chairman of the Farmers' Alliance, told a Royal Commission in 1881, "I have been told times out of mind by tenants that they dare not farm any better for fear of having their rents raised. I know one estate on which the rents were raised three times within twenty years."

The next year, Sir James Caird showed that agricultural rents had been increased, between 1867 and 1877, by 11½ per cent. in England and Wales, by 10⅓ per cent. in Scotland, and by 7½ per cent. in Ireland.

The rise in agricultural rents is further shown by the following extract from Professor Marshall's *Principles of Economics* (1890), page 352:

"It seems that the agricultural (money) rent of England doubled between 1795 and 1815, and then fell by a third till 1822; after that time it has been alternately rising and falling, and it is now about 45 or 50 millions as against 50 or 55 millions about the year 1873, when it was at its highest. It was about 30 millions in 1810,

16 millions in 1770, and 6 millions in 1600. But the rental of *urban land* in England is *now rather greater than the rent of agricultural land*; and in order to estimate *the full gain of the landlords from the expansion of population and general progress*, we must reckon in the values of the land on which there are now railroads, mines, docks, etc. *Taken all together*, the money rental of England's soil is probably twice as high, and its real rental three or four times as high, as it was when the Corn Laws were repealed."

But, beyond the fact that the rents are very generally excessive, the landlords have taken good care, as legislators, to put themselves into a preferential position to collect them. Whereas all the rest of the farmer's creditors can only sue in the courts, the landlords have the summary process of distress. The position is thus stated in *The Laws of England*, by the Earl of Halsbury:

"Distress may be made when rent is in arrear, that is, on the day after it becomes due. And if by the custom of the country any rent is payable by the tenant upon entering his holding, it may be distrained for the next day."

The existence of such a power as that throws a flood of light upon the way in which the landlords have entrenched themselves with privileges during their long reign of power as law-makers and governors of the soil.

Giving evidence on this point before the Welsh Land Commission, Mr. John Smith, Inspector-General in Bankruptcy, said:

"I rather think it has a tendency to protect the landlord and the farmer against the creditors of the latter. Therefore it has a tendency to encourage the landlord to take an impecunious tenant, knowing he can protect himself at the expense of the tenant's creditors, by

seizing the stock which remains upon the farm when that tenant becomes bankrupt. . . . I think it is detrimental to all concerned ; it is demoralising because it is unjust."

Another witness, Mr. Thomas Davies, of Fedwlwyd, Bala, speaking on behalf of several tenant-farmers, said : "The preferential claim for rent always means that the landlord gets what is due to him in full, and generally in good time. In times of depression the effect of this is that tradesmen suffer greatly, as tenants are unable to meet all their creditors, but they have always to be careful to see their landlord paid. . . . In many cases the fear of distress compels farmers to borrow money for the purpose of paying the rent."

A tenant-farmer in Anglesey said : "Small dealers often suffer severely on account of the preferential claim for rent. The Welsh people are so attached to their homes that they will pay the rents, lest they might receive notice to quit, even if they have to leave every other possible claim unpaid."

Mr. James Jenkins, County Councillor and tenant-farmer, of Wolf's Castle, stated that he thought the landlord's preferential claim for rent a very bad thing. He knew of scores of cases in which the ironmonger, the manure merchant, and others had had to give their goods for nothing, while the landlord had his money in full.

A resolution, passed by a meeting of farmers, was handed in asking for the amendment of the law of distress, and urging that in cases of insolvency the landlord should be on the same basis as other creditors. "Then landlords and land agents would let land, not to the highest bidders, but to the best tenants."

Besides the gross unfairness of the landlord being enabled to get the money due to him, even though the other creditors, whose moral claim to be paid is not less

than his, are compelled to take less, its effect is bad because it encourages rack-renting, and weakens the credit of the farmers.

That rent is a tribute is shown by the old customary service rents, or rents in kind, which still linger as remnants of the old feudal relations between landlords and tenants. Many cases like the following were given before the Welsh Land Commission:

A clause in the agreements on one estate stipulated that the tenants had "to deliver annually at Cilgwyn at Michaelmas two fat turkeys or two fat geese."

On another estate they had to deliver at the Hall, fowls, or ducks, or eggs, and loads of coal. In another case they had to deliver coal, lime, and poultry, and to grind all their corn at the estate mills.

While, however, food rents are now rare, service rents are still kept up on most Welsh estates. They chiefly consist of the duty of carting to the landlord's mansion, and the Commission condemned the practice inasmuch as it not only partook of the character of servility, but also encouraged farmers to keep more horses than they really needed for their own work.

The evil results of harsh and unbending restrictive covenants, to which reference has already been made, have been very serious. For, while it is right and necessary that farmers should not be allowed to impoverish the land, and should return to the soil the equivalent of what they take from it, they were often grievously hampered by absurd and unnecessary restrictions. Mr. James Howard, M.P., himself a farmer of eminence and a recognised authority on farming, gave in evidence before the Royal Commission on Agriculture, in 1881, the following statement:

"I met, at the Kilburn Show, in 1879, a Warwickshire

farmer, a very enterprising man, who has four steam engines on his place for his own use. His covenants were against growing artificial grasses. He was not allowed to sell any hay or clover for the Birmingham market.

"When barley was the most profitable corn-crop that could be grown, the farmers in my own county (Bedfordshire) were prevented from growing barley after wheat. When I was making £15 per acre of my barley crop, grown after wheat, they were prevented from growing it. And those are the terms of the covenants upon the whole of the Duke of Bedford's estate." And he added, "Many of the estates are managed by London lawyers who know nothing about agriculture."

THE GAME LAWS

Then, again, there is the burden imposed upon agriculture by landlords by the excessive preservation of game for their sport, and by the laws which they have made to maintain it. For a country estate is regarded by them rather as a pleasure-ground for themselves than as a treasure-house of the people.

The squire looks out in the morning across his park, and says, "It is a fine day; let us sally forth and kill something." It may be that, in the good time that is coming, men will cease to take a pleasure in taking life, and that, where it must be taken, it will be only as a regrettable necessity, not a sport; for there is something inhuman in taking joy in inflicting death. The following passage is written from the humanitarian standpoint. It is from a pamphlet entitled *Sport*, by Mr. G. G. Greenwood, M.P., published by the Animal's Friend Society:

"And what a curse to our country is this selfish mania for the preservation of game—preservation for the

purpose of destruction! For this are the country-folk warned off from the quiet woodland ways; for this are the children prohibited from entering the copses to gather wild flowers; for this are enclosures made, barbed-wire fences erected, footpaths and commons filched from the public, and the landless still further excluded from the land; for this must temptation be constantly set before the eyes of the labourer; for this must the offender against the game laws be called up for sentence before a tribunal of game-preservers; for this must the woods and the country-side be denuded of their most delightful inhabitants—the jay and the magpie, with their lustrous plumage and wild cries; the squirrel, embodiment of life and graceful activity, with his curious winning ways; the quaint, harmless, and interesting little hedgehog; the owl, with its long-drawn melancholy note, as it hawks in the summer moonlight—for this must wood-sides be disfigured by impudent notice-boards, telling us, in the arrogant language of the rich Philistine, that 'all trespassers will be prosecuted, all dogs destroyed'; for this must millions of innocent creatures be pitilessly condemned to shocking mutilations and atrocious agonies, long drawn out. Such is 'Merrie England' under the rule of the game-preserver.

> 'Strange that where Nature loved to trace,
> As if for gods a dwelling-place,
> There man, enamoured of distress,
> Should mar it into wilderness.' "

Few things so clearly demonstrate the enormous power which the private ownership of land confers upon men as the way in which landlords put their own pleasures before the interests of their farming tenants. It would be impossible to calculate the tremendous damage which the game laws have inflicted upon agriculture,

but it is quite certain that it far exceeds the improvements in agricultural methods which may be rightly placed to the credit of those landlords who have employed their capital and knowledge to those ends.

By the common law of the land all the wild animals on a farm are the property of the tenant, but it has always been the practice of landlords to insert clauses in their agreements reserving the game to themselves, and this has completely nullified the common-law right of the tenant.

Parliament appointed Committees of Inquiry, in 1845, 1846, and 1872, into the grievances of farmers and others on account of the preservation of game, and the loss it caused them. Nothing, however, was done until the Ground Game Act of 1880 was passed, which gave to the tenants a statutory right to kill hares and rabbits on their farms. But, as will presently be shown, the power of the landlord is so great, either in the withholding of an advantage or the infliction of a disadvantage, that many thousands of farmers still dare not do what the law distinctly allows them to do.

Under the old Saxon law every freeholder had the full liberty of sporting over his land, provided he respected the King's right in the royal forests. But, at the Norman Conquest, the right of taking all beasts of chase, or venery, was claimed by the King alone.

The Anglo-Saxon Chronicle of 1087 says that "the King made large forests for the deer, and enacted laws therewith, so that whoever killed a hart or a hind should be blinded. As he forbade killing the deer, so also the boars; and he loved the tall stags as if he were their father. He also appointed concerning the hares that they should go free. The rich complained, the poor murmured; but he was so sturdy that he recked nought

of them. They must will all that the King willed, if they would live or would keep their lands, or would hold their possessions, or be maintained in their rights."

The cruel forest laws were relaxed in the thirteenth century, so that "no man from henceforth shall lose either life or limb for killing our deer." But a "grievous fine" was inflicted, or imprisonment for a year and a day, and then the poacher must find sureties for his future behaviour, or, failing that, "he shall abjure the realm of England."

Of the King's grace henceforth "every freeman may without hindrance make in his own wood or on his own land which he hath in the forest, a mill, a fish pond, a pool, a marl pit, a dike, etc. Every freeman may have in his own woods, ayries of hawks, sparrow-hawks, faulcons, eagles, and herons, and shall also have the honey that may be found in his own woods."

But it was still held that no right of chase or free warren could be created without the sanction of the Crown, and many grants were made to nobles which covered not only the demesne lands of the feudal lords, but also the freehold and copyhold lands in the manors.

This right of free warren exists to-day, and the following is a case in point. William Clarkson was a copyholder on Lord Carnarvon's estate in Hampshire, and he was naturally under the impression that the Ground Game Act of 1880 gave him the right to keep down the hares and rabbits which infested his farm and ate his crops. He was warned not to do so, as Lord Carnarvon held an ancient Franchise of Free Warren, and in the end he succumbed to the threat of legal proceedings, and was compelled to insert the following humble apology in the *Newbury News* and *Andover Times*:

"*To the Right Honourable the Earl of Carnarvon.*

"I beg to apologise to your lordship for having in the month of August last, while reaping corn, killed with my sheep-dogs hares and rabbits on land at Highclere which I rent of Hayman's Trustees, I being at the time under the impression that I was within my right by virtue of the Ground Game Act, 1880, which I now admit was not the case, and that my act was an infringement of your Lordship's Franchise of Free Warren and Free Chase over the said land.

(Signed) "WILLIAM CLARKSON.

"ZELL HOUSE,
"*October* 22, 1894."

It must be remembered that the land in question did not belong to Lord Carnarvon. If it had he could not have legally prevented Mr. Clarkson from acting as he did. But his musty right of Free Warren gave him power even over land that belonged to others.

Referring to the wickedly cruel forest laws, of which the above is a survival, Blackstone says: "From this root has sprung a bastard slip, known by the name of the Game Law, now arrived at a wantoning in its highest vigour, both founded on the same unreasonable notion of permanent property in wild creatures, and both productive of the same tyranny to the Commons, but with this difference, that, while the forest laws established a mighty hunter throughout the land, the game laws have raised a little Nimrod in every manor."

An Act was passed in the time of Richard II. as follows:

"Forasmuch as divers artificers, labourers, and servants and grooms keep greyhounds and other dogs, and on Holy days when good Christian people" (mark the land-

lords' zeal for the spiritual welfare of their tenants) "be at church hearing Divine Service, they go hunting in Parks, Warrens, etc.," therefore "no manner of artificer, labourer, nor any other layman which hath not lands or tenements to the value of £40 by year, nor any priest nor other clerk if he be not advanced to the value of £10 by year, shall have or keep from henceforth any greyhound, hound, nor other dog to hunt . . . under pain of one year's imprisonment." That law was enacted in 1390. Over five hundred years have since elapsed, and in this year of grace 1913 there are many game-preserving districts where tenants are prohibited by their landlords from keeping dogs under pain of losing their homes.

By an Act of Edward I. "foresters, porters, and their assistants should not be troubled if trespassers are killed by them within their liberty in cases of resistance." A good many poachers have been killed within living memory, and the presumption always was that the gamekeepers were not to be blamed on that account. For no property was held in such respect as game is, and the worst severities of the law were exercised for its protection. Man-traps and spring guns are no longer allowed by the law, but, even now, in the eyes of rural magistrates, few offences are so serious as offences against the game laws, and few are punished with such harshness.

The Committee of 1872–3 reported: "It is said (by witnesses) that it is not right to treat as a crime the taking of that which the law does not declare to be property, that many of those who fall within the meshes of the law are persons of general good character as to honesty, and that, after having been treated as criminals, especially when they have been sent to gaol in default of paying their fines, and there associated with felons, they often

lose all self-respect, are degraded in society, and eventually take to dishonest means of livelihood."

In all ordinary cases of breach of agreement, landlords had the remedy of imposing penal rents or fines, or of eviction. But the taking of game, which the agreement had reserved to the landlord, as it practically always did, was treated by the law (made by landlords themselves) as a crime, and was punishable as such. The Committee examined scores of farmers and others who testified to the damage done to growing crops by the reckless and selfish preservation of game, and Mr. Fox Maule, afterwards Lord Dalhousie, presented a petition from a number of farmers putting the case in a nutshell:

"When we consider the state of the times, as far as agricultural interests are concerned, when we know that it is only by the greatest energy, enterprise, and skill that the farmer can meet the high rent which he is called upon to pay, it does appear monstrous that the seed which he commits to the ground, that the growing crop on which his existence depends, should be devoured before his eyes, without his having the slightest power either to destroy the animals that prey upon him, or to obtain redress for the damage they occasion."

But the Committee's recommendation that farmers should have the right to kill ground game was absolutely ignored by the Conservative party when it came into power in 1874. Posing always as the friends of the farmers, they did nothing to remove the grievances which were so manifest and so serious, although they had command of both Houses of Parliament and could easily have done so if they had wished. Not until they went out of power, in 1880, was the above recommendation put upon the Statute Book.

Nearly fifteen years after that a mass of valuable evi-

dence on the game laws was collected by the Welsh Land Commission in the course of an inquiry which was unparalleled for thoroughness. Farmer after farmer reported that the landlords have gone on with their old mischievous practice of excessive game preservation, and that they dare not use the rights which the law had given them, for fear of the consequences.

The Commission reported that "the principal complaints in regard to the operation of the game laws came from tenant-farmers and witnesses on their behalf, who alleged that game preservation and the exercise of sporting rights did great damage to crops, and in many ways hindered cultivation, while the arbitrary conduct of gamekeepers, the selfish and careless conduct of sporting tenants, and in some cases of the landlord and his friends, was a perpetual source of friction between landlord and tenant."

Mr. R. Pughe Jones, late agent for the Madryn Estates, said: "Game-preserving, where carried on to any considerable extent, inflicts great injury to crops; and, even when compensation is made to the tenant, the amount is fixed by the landlord according to his good pleasure, and not by any calculation which pretends to ascertain an approximate return of the loss inflicted."

Mr. T. E. Ellis, M.P. for Merionethshire, said: "During the last thirty years there has raged amongst some landlords a veritable fever for game-preserving. The whole paraphernalia of game-preserving have been set up—a hierarchy of gamekeepers, strict sporting clauses in agreements, covers, rabbit warrens, pheasantries, and the killing of dogs and cats, the pursuit of poachers, and the confiscation of guns and nets. . . . I cannot describe the repugnance and loathing to the game-preserving system engendered by the overbearing

conduct and petty tyranny of many of these gamekeepers, by the monstrous increase of rabbits and pheasants, and by the immense losses occasioned by depredations of game on the crops of struggling tenants. What compensation can there be for the agony and irritation of the tenant at seeing his crops eaten and destroyed by game, while gamekeepers are prowling about to see that not a feather of the sacred birds is ruffled?"

Lieut.-Colonel H. R. Hughes, head agent to the Wynnstay Estates, consisting of 137,000 acres, said: "To preserve game to an unreasonable extent by the spoliation of the farmer's property is, in my opinion, neither right, just, nor honest. I have known properties where so much game was kept that farmers have been obliged to take up their root crops and stow them away before they were matured."

A tenant on the Edwinsford Estate, Carmarthenshire, said he had planted a field of six acres of wheat. He had hauled £11 0*s.* 11*d.* worth of lime from fifteen miles away on to the field, he had hauled £5 worth of nitrate of soda from nine miles away, and had carted on to the land 311 loads of earth. He had sowed eighteen bushels of wheat, and, as a practical farmer, he reasonably expected 180 bushels of wheat, with six tons of straw. But the crop was so eaten by the pheasants, 1,000 being preserved in the plantations within 400 yards of the field, that it only yielded 30 bushels of wheat and hardly a ton of very weak straw. He calculated he had lost £50 on that one field alone because of the pheasants, but the landlord's agent thought that £5 was adequate compensation.

Farmer after farmer testified to the same kind of damage, and that they dare not even carry a gun for fear of being suspected by the gamekeepers.

Nearly twenty years have elapsed, and the evil still goes on. Where there were 9,000 gamekeepers there are now 22,000, and the blight of the game-preserver is over all the land.

A small-holdings experiment was made a few years ago in Suffolk, which was ruined by the depredations of game.

Sir Richard Winfrey, M.P. for South-west Norfolk, recently said (vide *Daily Chronicle*, September 12, 1913):

"The other day I had an opportunity of examining one of the tenant's agreements on a large estate not one hundred miles from here. One of the clauses was that the lessee's (that is the farmer's) name was to be used in all prosecutions for trespass. Another clause reserved to the landlord the right to object in writing to any person appointed to kill ground game or vermin, and another clause laid it down that the farmer should summarily dismiss any labourer or other servant who should be convicted of any offence against the Game Laws, and a further clause, which would stagger people in some parts of the country, provided that the tenant should not cut or allow to be cut any border grass between May 1 and July 15. In other words, he could not, at any slack time, clean out his ditches and cut his hedges.

"One tenant within the last two or three years spoke to me of a field of barley of sixty-seven acres on which he had sixteen men at work. He brought two greyhounds to help him kill the hares and rabbits, and in two days, whilst the men were cutting the barley, they killed some scores of hares besides rabbits. The men took all they could carry home with them; they loaded a cart, and could not even give them away in the neighbourhood, there was such a glut. We may well ask, what did it cost to feed such an army as that, to make no mention

of the winged game, which does immense damage not only to the corn-crops but to the sainfoin and clover?

"I am looking at this question from the national point of view. This excessive game-preserving kills the farmer's desire to farm well; consequently he employs as few hands as he can to get through the work, and produces half the quantity that he otherwise would.

"We must have complete security of tenure; farmers must have larger powers to destroy ground game, and it must be made illegal to reserve sporting rights and let them to sporting tenants."

At every point the farmer is hampered by the present system of private property in land. So far from the landlord being his best friend, he is his worst enemy. His improvements have been unscrupulously confiscated for centuries past, and, consequently, he has been persistently discouraged from putting his best efforts into his business or applying his capital to it to the best advantage. Harsh and unnecessary covenants have been imposed upon him, and, besides interfering with him in the conduct of his business, the landlords have constantly brought undue pressure to bear upon him for political or religious reasons. He has been crushed with high rents, tempered only with abatements which have not only been inadequate and belated, but have savoured of charity rather than of justice.

As a consequence of the landlord system, large farms, inefficiently cultivated, with insufficient capital, have been preferred, and intensive cultivation has been discouraged or prevented. All this has been the natural and inevitable result of the nation permitting its natural resources to be held under the mastership of irresponsible private individuals whose interests are antagonistic to those of the actual cultivators of land as well as to those of

the general community which depends upon it for its sustenance.

The soil of this country is inferior to none. Taking all things into account, its climate is admirably adapted for a very high standard of production, and we have the finest markets in the world. But, until we safeguard the interests of the cultivators with a perfect system of tenant right, ensure (by Fair Rent Courts) that the rent shall represent the value of the land alone, and shall be revisable only as that value rises or falls, and until we make rent payable into the public exchequer and devote it to the public good rather than to private purposes, we can never develop our resources as they should be, and so lessen our present dangerous dependence for our food supplies upon foreign countries.

The private-landlord system rests like an incubus upon the agricultural industry. It puts the pleasures, power, and profit of the few before the general welfare. It impoverishes the farmer, degrades the labourer, and injures the whole nation. Whatever else be done, or remain undone, the complete abolition of landlordism is the one thing above all others which must be achieved.

CHAPTER XIII

THE HIGHLAND CLEARANCES

Oh! land where the heather blooms
  And the salt spray splashes the beach,
Where only the wind and the sky above
  Are out of the landlord's reach!

Oh! wild birds that build in the brae
  And sweeten the air with your cries,
Wave not your wings as you sail aloft,
  For you are the landlord's prize!

And you, the antlered king,
  Who proudly rear your crest,
You live to fall to a landlord's gun
  With the warm blood wet on your breast.

Ye remnant of the brave!
  Who charge when the pipes are heard,
Don't think, my lads, that you fight for your own,
  'Tis but for the good of the laird!

And when the fight is done
  And you come back over the foam,
"Well done," they say, "you are brave and true,
  But we *cannot* give you a home.

For the hill we want for the deer,
  And the glen the birds enjoy,
And bad for the game the smoke of the cot
  And the song of the crofter's boy."

MACKENZIE MACBRIDE, in the *London Scotsman*.

God may have given the land to dress and keep
Unto our hands, but then his lordship's sheep
Fetch more i' the market. So with all our roots,
Like ill weeds choking up the corn's young shoots,
He plucks us from the soil. His sovereign word
Hath driven us hence. As with a flaming sword
Doth he not bar the entrance to our glen?

To him belonged the glens with all their grain ;
To him the pastures spreading in the plain ;
To him the hills where falling waters gleam ;
To him the salmon swimming in the stream ;
To him the forests desolately drear,
With all their antlered herds of fleet-foot deer ;
To him the league-long rolling moorland bare,
With all the feathered fowl that wing the autumn air.

For him the hind's interminable toil :
For him he plowed, and sowed, and broke the soil,
For him the golden harvests would he reap,
For him would tend the flocks of woolly sheep,
For him would thin the iron-hearted woods,
For him track deer in snow-blocked solitudes ;
For him the back was bent, and hard the hand,
For was he not his lord, and lord of all that land ?

MATHILDE BLIND, *The Heather on Fire.*

There's gloom upon yon mountain brow,
  There's darkness in yon glen ;
No more the white fal sparkles now
  In yonder hazy den.
Hushed are the tuneful groves, the sun
  Beams not on babbling rills,
Strong hands are taking one by one
  The freedom of the hills !

ROBERT BIRD,
"The Freedom of the Hills," in *Songs of Freedom.*

In too many instances the Highlands have been drained, not of their superfluity of population, but of the whole mass of the inhabitants, dispossessed by an unrelenting avarice, which will be one day found to have been as short-sighted as it is selfish and unjust. Meantime the Highlands may become the fairy ground for romance and poetry, or the subject of experiment for the professors of speculation political and economical. But, if the hour of need should come, the pibroch may sound through the deserted region, but the summons wil remain unanswered.

SIR WALTER SCOTT.

THE tremendous power which the possession of land confers upon its owners has been strikingly exemplified in the case of Scotland, where it has resulted in the wholesale clearance of the ancient inhabitants from their native glens. The memory of those clearances still rankles in the minds of men whose fathers were driven from their homes at the will of the descen-

dants or successors of the old Highland chieftains; and no account of the evils of private property in land would be complete which omitted a reference to them.

In the time to come it will be regarded as almost incredible that such things could have been possible, except, perhaps, in the barbarous Middle Ages, when might was right and was unashamed.

"Under the old Celtic tenures," says Hugh Miller, in *Sutherland as it Was, and Is*, "the only tenures, be it remembered, through which the lords of Sutherland derive their rights to their lands, the Klaan, or children of the soil, were the proprietors of the soil; 'the whole of Sutherland,' says Sismondi, 'belongs to the men of Sutherland, the head of the clan was a chief, not a proprietor.'" And so it was with all the rest.

By the aid of the broadswords of the clansmen, the chiefs obtained the territories over which they ruled, and every clansman regarded himself as a co-proprietor of the land which he had helped to win and to guard. But time was to change all that, and the chiefs gradually usurped the rights of the common people, as men always do under similar circumstances.

The Gaelic for rent is *mal du*: *anglice*, blackmail or highway robbery. The old clansmen lived on the land by right, their descendants live on it by sufferance, for practically every inch of the Highlands of Scotland is now private property, and none can live there at all except they have permission. The whole of the island of Lewis belongs to one man. Nearly the whole of the vast county of Sutherland belongs to another. It is, *par excellence*, a land of great estates.

The people are amongst the bravest in the world, but in the supreme matter of the right to land they are counted by the law as no better than the cattle which

browse on their native hills which are the glory of Scotland. Men who were never beaten on the battlefield were powerless in the grip of landlordism. Men who were brave as lions were driven forth like sheep. For the insidious rights of property are deadly and irresistible, when once men have made the fundamental mistake of permitting them to include the one thing that is unmakeable by man and indispensable to him.

The first of what are known as the Highland "clearances" took place in 1784, and gradually the movement extended, the people being driven to the coast or shipped away to Canada.

"A Duke of Athol," says Donald Macleod, in *Gloomy Memories*, "can, with propriety, claim the origin of the Highland clearances. Whatever merit the family of Sutherland may take to themselves for the fire and faggot expulsion of the people from the glens of Sutherland, they cannot claim the merit of originality. The present (sixth) Duke of Athol's grandfather cleared Glen Tilt, so far as I can learn, in 1784. This beautiful valley was occupied in the same way as other Highland valleys, each family possessing a piece of arable land, while the pasture was held in common. The people held a right and full liberty to fish in the Tilt, an excellent salmon river, and the pleasure and profits of the chase, with their chief; but the then Duke acquired a great taste for deer.

"The people were, from time immemorial, accustomed to take their cattle, in the summer season, to a higher glen, which is watered by the river Tarf; but the Duke appointed Glen Tarf for a deer-forest, and built a high dyke at the head of Glen Tilt. The people submitted to this encroachment on their ancient rights. The deer increased and did not pay much regard to the march;

they would jump over the dyke and destroy the people's crops; the people complained, and his Grace rejoiced; and, to gratify the roving propensities of these light-footed animals, he added another slice of some thousand acres of the people's land to the grazing ground of his favourite deer. Gradually the forest extended, and the marks of civilisation were effaced, till the last of the brave Glen Tilt men, who fought and often confronted and defeated the enemies of Scotland and her kings upon many a bloody battlefield, were routed off and bade a final farewell to the beautiful Glen Tilt, which they and their fathers had considered their own healthy and sweet home."

Hugh Miller says that, in the golden age of the Highlands, between the rebellion of 1745 and the commencement of the clearance system, the Highland peasantry were contented and comfortable, and continuously supplied those Highland regiments which were at once composed of the best men and the best soldiers in the service; and he declares that, when he has seen them labouring to extract a miserable crop from a barren soil of quartz rock and peat, he has been struck by their great industry.

In Sir John McNeill's *Report on the Western Highlands and Islands*, he describes the Crofter as often a permanent or even hereditary tenant, at a rent fixed for long periods, occupying a few acres of arable land, with right of peat and pasture on the mountain, and of fishing, if near the sea or a loch. His rude house was often built by himself, the byre for the cows and the barn for his crop being under the same roof. He usually possessed some cattle, sheep, and a pony or two, a boat, nets, and fishing gear, and a good supply of needful implements and household furniture. His croft supplied him with food and a great

part of his clothing, his annual sale of cattle paid his rent, he had abundance of dried fish or salt herrings for winter use, and he thus lived in a rude abundance, with little labour, and knew nothing of the unremitting daily toil by which labourers in other parts of the country gain their livelihood. Dr. Norman MacLeod tells us, as a proof of the sterling qualities and high character of this class of Highlanders, that, since the beginning of the last wars of the French Revolution, the island of Skye alone sent forth from her wild shores 21 lieutenants and major-generals, 48 lieutenant-colonels, 600 commissioned officers, 10,000 soldiers, 4 governors of colonies, 1 governor-general, 1 adjutant-general, 1 chief baron of England, and 1 judge of the Supreme Court of Scotland. Besides such men as these, the same class supplied the whole of the clergy, doctors, and lawyers of the North of Scotland, as well as many to other parts of the Empire. Now, through the changes brought about by the despotism of the landlords, this class of men has almost entirely ceased to exist, and few soldiers or officers are supplied by the Highlands.

Again: "I know a glen, now inhabited by two shepherds and two gamekeepers, which at one time sent out its thousand fighting men. And this is but one out of many that might be cited to show how the Highlands have been depopulated. Loyal, peaceable, and high-spirited peasantry have been driven from their native land—as the Jews were expelled from Spain, or the Huguenots from France—to make room for grouse, sheep, and deer. A portly volume would be needed to contain the records of oppression and cruelty perpetrated by many landlords, who are a scourge to their unfortunate tenants, blighting their lives, poisoning their happiness, and robbing them of their improvements, filling their

wretched homes with sorrow, and breaking their hearts with the weight of despair."

The clearances were begun by the landlords because of their love of sport. Like William the Conqueror, they "loved the tall stags as if they were their fathers." But during the scarcity of food caused by the wars with Napoleon, and accentuated by the Corn Laws, the southern lands were more and more devoted to cereals, so that grazing land was in great demand. It was the high price of cattle, and the consequent high rents obtainable for grazing land, that made the Highland lairds cast envious eyes upon the poor crofts of the Highland peasantry. Hypocritical reasons were sometimes invented, as, for instance, that the condition of the peasantry would be bettered under so-called "estate improvement" schemes, but the real reason was always either the desire for pleasure, or the greed for a higher rent.

Dean Swift, writing of the wholesale clearances that went on in his time in Ireland, promoted by exactly the same causes, said: "The more sheep we have the fewer human creatures are left to wear the wool, or eat the flesh. Ajax was mad when he mistook a flock of sheep for his enemies; but we shall never be sober until we have the same way of thinking."

Certainly, it would seem to be the simplest common sense to say that the great question of deciding whether a country shall feed men on the one hand, or sheep, cattle, and deer on the other, should never be left in the discretion of only one man on an entire estate. "A baron," says Professor Francis Newman, "in his highest plenitude of power, has rather less right over the soil than the King from whom he derived his right; and a King of England might as well claim to drive all his subjects into the sea as a baron to empty his estates."

But this emptying of estates has been going on, in Scotland and elsewhere, in one way or another, and for one reason or another, for over a hundred years. The twentieth-century landlord has, in fact, a far greater power than the King has; he is permitted to do with impunity that which would destroy monarchy if it were attempted by the King. For is not the land his "property," and may not a man do as he likes with his own? Surely, of all claims that can be put forward by any human being, none is more preposterous than this.

Between 1811 and 1820, 15,000 people were cleared off the glens of Sutherland, and their homes, which they had themselves built, and which were endeared to them by many tender associations, were burned to the ground. And many a Highland soldier came back from the wars to find himself shut out from the scenes of his childhood.

"The country," says Donald Macleod, "was darkened by the smoke of the burnings, and the descendants of those who drew their swords at Bannockburn, Sheriffmuir, and Killiecrankie—the children and nearest relations of those who sustained the honour of the British name in many a bloody field—the heroes of Egypt, Corunna, Toulouse, Salamanca, and Waterloo—were ruined, trampled upon, dispersed, and compelled to seek an asylum across the Atlantic."

The lesson of it all is thus clearly stated by Alfred Russel Wallace in his *Land Nationalisation: its Necessity, and its Aims*:

"And the power to do all this, be it remembered, is a necessary consequence of unrestricted private property in land. That such horrors do not occur more frequently is due to the good feeling and humanity of landlords, and to the absence of sufficient motive; but that it should have been ever possible, that they should have actually

occurred in hundreds of cases, and that a Government which claims to rule over a free, prosperous, civilised, and Christian people was not only utterly powerless to prevent them but was actually obliged to aid into carrying them into effect—for all was strictly legal, and the landlord was only enforcing his admitted rights—must, surely, make every one who is not unfitted by prejudice see that the possession of land for any other purpose than *personal occupation* is incompatible with liberty, and therefore necessarily leads to evil results."

"I have seen," says Mr. Rollo Russell, "in many parts of Scotland the ruin remnants of once pleasant villages; I have seen mere grassy mounds where a century ago there were thriving dwelling-places; every one may find, in almost every direction from the central Highlands, great wastes of fine country sold over the heads of Scottish people for the sport of strangers, the solitude of unprofitable beasts. On the borders of such an estate, if a few tenants are allowed to remain, they may hardly stray on to the mountain side; they may scarcely keep a pet lamb without the landlord's leave. The people of the land, the rightful immemorial owners, emerging from the towns for a gasp of fresh air on their native mountains, their once free heather, are warned off by hired keepers, railed off by miles of fencing, refused passage of their rivers, for bridges and boats are locked, and confined, in the midst of grand moors and forest, strictly to the high road. A once flourishing and beautifully situated hamlet, with many small farms surrounding it, I have known reduced to one-third of its former population by the decision of the landlord, mistaken even in his own lower interest, to convert the small holdings into large farms."

And the same heartlessness that has continually been

shown in turning the people off the land whenever it has pleased the landlord to do so, has been exhibited in the rack-renting of those who were permitted to remain. Free contract between the Crofter and the landlord, who was often an absentee, and whose interests were entrusted to a factor, was a mockery.

The Crofters' Commission at length came to the help of the weak and defenceless, and put an end to the unscrupulous rack-renting and confiscation that had become well-nigh universal throughout the crofting counties.

Giving evidence before the Commission in 1883, Professor Blackie, referring to the continued depopulation which had been going on, said: "All this has been done in perfect accordance with English laws, which give all power to the strong and no protection to the weak members of society. It was not only the honest Crofters that must retreat before the omnipotent Nimrods of these sporting preserves. Their purple bens and green, winding glens, that were once as free to the foot of the pedestrian as the breeze that blows over them, were now fenced round with iron rails, and guarded by jealous gamekeepers. Not a botanist can pick up a fern, nor a geologist split a rock, nor an artist sketch a cascade, nor a rhymer spin a verse, nor a traveller in search of health whiff the mountain breezes, for fear—the sacred fear—of disturbing the deer, and curtailing the sport of some idle young gentleman. And all this in an age when the tide of democracy is advancing all round at a rapid pace, and requires no additional momentum from artificial rights, which plant the self-indulgent pleasures of the few in direct antagonism to the best interests of the mass of the population."

At that time the deer forests of Scotland covered an area of 1,711,892 acres.

In 1898 they extended to 2,287,297 acres.

And a Government Return, which was ordered to be printed by the House of Commons, on March 6, 1913, showed that they now cover no less than 3,599,744 acres.

It is not, of course, contended that the whole of this area is suitable for cultivation, but much of it is, and much of it has been.

Meanwhile, in the season, the emigrant ships are filled with the very pick of the countryside, and it behoves the nation to offer every possible facility for the satisfaction of their land hunger in their native country.

> "Breathes there a man, with soul so dead,
> Who never to himself hath said,
> This is my own, my native land?"

Their native land it is, but their own land it is not. It belongs to a handful of men, not always their own countrymen. An American millionaire has more legal right on it than they have.

The most cursory study of the results of landlordism in Scotland must convince any unbiased mind that it has been the greatest curse which has ever blighted that fair country. For it is a breach of Nature's laws, and no breach of her laws goes unpunished. Scotsmen are proud of their country and its history. Let their pride be based upon a sense of part-ownership in their native land, and of the security and equal opportunity which will inevitably result from a recognition of the great truth that the land of glorious mountains and brown heather is the common and inalienable inheritance of all her children.

CHAPTER XIV

LANDLORDISM IN IRELAND

The history of the land question is the history of Ireland.
ARTHUR JAMES BALFOUR.

Want keeps pace with wealth, poverty with progress, the discontent of the many with the affluence of the few. We have millions of paupers, land going back to a state of nature, crowded cities and depopulated acres, Highland and Irish clearances, and crowded emigrant ships. All these attest in unanswerable language that private property in land is public robbery of the nation—that land monopoly is an economic disease, a social rinderpest, that is rapidly inoculating the organism of society with the deadly virus of discontented poverty.
MICHAEL DAVITT, speech at St. James's Hall, *October* 30, 1883.

The whole code relating to landlord and tenant in Ireland was framed with a view to the interests of the landlord alone and to enforce the payment of rent by the tenants. The interests of the tenants never entered into the contemplation of the Legislature.
LORD CHIEF JUSTICE PENNEFATHER, in 1843.

We have simplified the law against the tenant. We have made ejectments cheap and easy, and notices to quit have descended upon the people like snow-flakes.
WILLIAM EWART GLADSTONE,
Speech in the House of Commons, *April* 30, 1870.

IT would be difficult, if not impossible, to name any country in the world where the evil results of private property in land have been so disastrous as they have been in Ireland. The clan system was bad enough, but that which succeeded it was far worse. For, under the clan system, although the chief of the clan had enormous power, yet the land was never regarded as his own absolute property, and the humblest member of the clan was recognised as having a definite right to

use it, and to get his living by it. And, at any rate, the chief was of the same religion and nationality as the people over whom he ruled. But when the clan system was destroyed by the English Government, a far worse system was established. The land was seized, the chiefs of the clans were expelled, the common people were treated as if they had no rights at all, and the country was given over to men of another race and another religion.

The whole of the sufferings of the Irish people are plainly traceable to that great iniquity. It is true that in England exactly the same thing was done at the time of the Norman Conquest. The land was given to the alien conquerors, who relentlessly ground the people down, and treated them as inferior beings. But, in course of time, the races mingled as one, and the conquered people secured a certain measure of liberty and recognition.

The English Conquest of Ireland never worked so smoothly. Governed from a distance, it was governed without sympathy and understanding. The strong and pitiless hand of England was ever ready to crush the natural aspirations of the people for better things, and every rising was put down with the utmost barbarity.

To understand the peculiar difficulty of the Irish problem it is essential to keep in mind the outstanding fact that practically the whole of the Irish people were disinherited by confiscations of so extensive a character that they are hardly to be paralleled in any other country.

"The whole power and property of the country," said Lord Clare in the Irish House of Lords, on February 10, 1800, "have been conferred by successive monarchs of England upon an English colony, composed of three sets of English adventurers, who poured into this country at the termination of three successive rebellions. Con-

fiscation is their common title; and from their first settlement they have been hemmed in on every side by the old inhabitants of the island, brooding over their discontents in sullen indignation."

From the very first conquest of Ireland the aim of the English kings was to govern it by settlements of English landowners, as England was governed by the Normans. The scheme was interrupted at various times by the wars with Scotland and France, and by the Wars of the Roses, but it was always kept in view, and was acted upon whenever opportunities offered themselves. Henry VIII. projected the clearing of Ireland westward to the Shannon, but the chief seizures and clearances came in the reign of his children.

In the reign of Queen Mary the lands of the O'Connors, the O'Moores, and the O'Neils, were seized and settled by the English.

In the reign of Queen Elizabeth the whole of the Desmond Estates, measuring 295,379 acres, were similarly seized and settled.

Referring to the Elizabethan settlement, Sir John Davis, Solicitor-General to James I., said: "There was no care taken of the inferior septs of people. There was but one freeholder made in a whole country, which was the lord himself; all the rest were but tenants-at-will, who, by reason of the uncertainty of their estates, did utterly neglect to build, to plant, or to improve the land. And therefore, although the lords were to become the King's tenants, the country was no whit reformed thereby, but remained in the former barbarism and desolation."

In the reign of James I. the plantation of Ulster and Leinster was carried out—2,836,837 acres in Ulster, and 450,000 acres in Leinster, being wrenched from the natives and handed over to English adventurers. But

the greatest of all the confiscations was carried out by Cromwell after he had crushed the people with a ruthlessness that has never been excelled in the whole barbarous annals of war. No less than 11,000,000 acres of land (reduced at the Restoration to 7,800,000 acres) were wrested from their ancient proprietors, and the people were thrust under the iron heel of the Cromwellian soldiers, and other Englishmen and Scotchmen who gathered for the plunder.

"The captains and men of war of the Irish," says Mr. Prendergast in *The Cromwellian Settlement of Ireland*, "amounting to 40,000 men and upwards, were banished into Spain, where they took service under that king; others of them, with a crowd of orphan boys and girls, were transported to serve the English planters in the West Indies; and the remnant of the nation, not banished or transported, were to be transplanted into Connaught, while the conquering army divided the ancient inheritance of the native and naturalised Irish by lot."

"The intention of Cromwell," said Professor Froude (*Nineteenth Century*, September 1880), "was to cover Ireland with a race of Protestant Saxon freeholders who would permanently take root. . . . The small freeholds were absorbed in the overgrown estates of the peers and county families; the Protestant landowners became, like the Spartans, a privileged aristocracy in diminishing numbers surrounded by a nation of helots."

Edmund Burke (*Letter to Richard Burke on Protestant Ascendancy in Ireland*) said: "One would think they would wish to let Time draw his oblivious veil over the unpleasant modes by which lordships and demesnes have been acquired in theirs, and in almost all other countries upon earth. . . . It might be imagined that

they would permit the sacred name of possession to stand in the place of the melancholy and unpleasant title of grantees of confiscation . . . The miserable natives of Ireland, who, ninety-nine in a hundred, are tormented with quite other cares, and are bowed down to labour for the bread of the hour, are not, as gentlemen pretend, plotting with antiquaries for titles of centuries ago to the estates of the great lords and squires for whom they labour. But, if they were thinking of the titles which gentlemen labour to beat into their heads, where can they bottom their own claims, but in a presumption and a proof that these lands had at some time been possessed by their ancestors ? "

Petition after petition was sent up to the Government by the former proprietors, anxious, after years of weary exile in Connaught, or beyond sea, " to behold the smoke of their own chimneys, and to sit again at their own hearths," but all to no purpose.

Further confiscations of 1,060,792 acres followed at the fall of the last of the Stuart kings, when the Irish again espoused a lost cause, and a Court for the Sale of Estates forfeited in the war of 1690 was set up. The lands could only be purchased by Englishmen or Scotchmen. No Irishman, high or low, could purchase an acre of them, or even occupy more than two acres as a tenant. Irishmen were forbidden to buy land anywhere, and where any land was already held by them it had to be subdivided at their death. They were further forbidden to settle their property either by deed or by will.

Further, the longest lease which could be granted to an Irish Catholic was for thirty-one years, and, as Edmund Burke pointed out, " A tenure of thirty-one years is evidently no tenure upon which to build, to plant, to raise enclosures, to change the nature of the ground,

to make any new experiment which might improve agriculture, or do anything more than what may answer the immediate and momentary calls of rent to the landlord, and leave subsistence to the tenant and his family."

"Multitudes of proprietors," said Mr. Lecky (*Macmillan's Magazine*, January 1873), "were driven as beggars from the land. A new and bitter cause of resentment was planted in the minds of the people, and the first great step was taken in producing that insecurity of property, and that smothered war between landlord and tenant, which was destined for so many generations to be the bane of Irish life."

"Rooting out the Irish" was the settled policy of the English Government, and no considerations of humanity were allowed to stand in the way.

"No inherent want of respect for property," said Professor Goldwin Smith, "is shown by the Irish people, if a proprietorship which had its origin within historical memory in flagrant wrong is less sacred in their eyes than it would have been if it had its origin in immemorial right."

At the end of the confiscations only 7 per cent. of the land was left in the hands of the ancient inhabitants. The new masters of the land ruled them with a rod of iron. The heart of one of the most lovable and generous people on the face of the earth was broken. They became hewers of wood and drawers of water for the usurpers. They were as sheep whose only purpose was to be regularly shorn.

But, besides the confiscation of their lands, and the penal laws passed for the suppression of their religion, England repressed their industries, and made them almost wholly dependent upon agriculture for their living.

In 1634 Lord Lieutenant Strafford wrote to Charles I.: "All wisdom advises to keep this kingdom as much subordinate and dependent upon England as is possible, and holding them from the manufacture of wool (which, unless otherwise directed, I shall by all means discourage), and then enforcing them to fetch their clothing from thence, and to take their salt from the King (being that which preserves and gives value to all their native staple commodities), how can they depart from us without nakedness and beggary? Which is of itself so mighty a consideration that a small profit should not bear it down."

This brutal and wicked spirit was consistently manifest in all England's dealings with Ireland, and in 1698 both Houses of the English Parliament addressed King William:

"The growing manufacture of cloth in Ireland, both by the cheapness of all sorts of necessaries of life, and the goodness of materials for making all manner of cloth, doth invite your subjects of England, with their families and servants, to leave their habitations and settle there, to the increase of the woollen manufacture in Ireland, which makes your loyal subjects in this kingdom very apprehensive that the further growth of it may greatly prejudice the said manufacture here, by which the trade of the nation *and the value of lands* will greatly decrease, and the number of your people be much lessened here." They prayed the King, therefore, to take action if necessary to prohibit and suppress the Irish woollen trade, so that Ireland might be confined to the linen trade only.

As a consequence of this appeal the Act of 10 and 11 William III. c. 10 was passed: "That wool and the woollen manufacture of cloth, serge, bays, kerseys, and other stuffs made or mixed with wool, are the greatest

and most profitable commodities of the kingdom, on which the *value of lands* and the trade of the nation do chiefly depend; that great quantities of the like manufactures have of late been made and are daily increasing in the kingdom of Ireland, and in the English Plantations in America, and are exported from thence to foreign markets heretofore supplied from England; all which inevitably tends to injure the *value of lands*, and to ruin the trade and woollen manufactures of the realm; and that for the prevention thereof the export of wool and of the woollen manufactures from Ireland be prohibited under the forfeiture of goods and ship, and a penalty of £500 for every such offence."

In this and other ways the landlords of England, in a spirit of greed run mad, kept Ireland from becoming a manufacturing nation, and condemned her to dependence upon one industry almost entirely.

And now let us see what was the condition of the landless people engaged in agriculture. Their history is one long record of unrelieved poverty and recurring famine. Whereas in England and Scotland the landlords generally defray the first cost of farm buildings and other permanent improvements, charging for them in the rent, the Irish landlord usually did nothing of the kind.

"It is admitted on all hands," said the Devon Commission, "that, according to the general practice of Ireland, the landlord builds neither dwelling-house nor farm offices, nor puts fences, gates, etc., into good order before he lets land to a tenant. The cases in which a landlord does any of these things are exceptions."

Every improvement was made by the tenants, and yet they were persistently denied any right of property in the results of their own labour. In spite of this they reclaimed the bog, and covered even the bare rock with

soil and manure and seaweed, laboriously toiling from morning till night, only to find the rent raised on their own improvements. In the sacred name of the law, in the making of which they had absolutely no voice, this unspeakable robbery went on for generation after generation.

And so the time came, when, denied the protection of law, the people took the law into their own hands. The Russian Government was once described as a despotism tempered with assassination. The tyranny of landlordism in Ireland was at length tempered in the same way. Crimes of indescribable ferocity were committed, but it must never be forgotten that they were provoked by the almost incredible heartlessness of the landlords themselves. For rack-rents drove the people into desperation, and evictions depopulated the country.

The Devon Commission, appointed in 1843, in referring to the agrarian outrages which were rife throughout Ireland, said, "The whole nature of Christian men appears in such cases to be changed, and the one absorbing feeling as to the possession of land stifles all others, and extinguishes the plainest principles of humanity."

The landlords, and their agents, were apparently deaf to all reason and common justice, and were only amenable to fear. The real responsibility for the outrages rested upon their shoulders, as truly as the excesses of the Reign of Terror in the French Revolution were due to the previous oppression of the peasants by the territorial despots of France.

Writing in 1776, Arthur Young, in his *Tour in Ireland*, said: "The landlord of an Irish estate, inhabited by Roman Catholics, is a sort of despot, who yields obedience in whatever concerns the poor to no law but that of his own will. A long series of oppressions, aided by

many ill-judged laws, have brought landlords into a habit of exerting a very lofty superiority, and their vassals into that of an almost unlimited submission. Speaking a language that is despised, professing a religion that is abhorred, and being disarmed, the poor in many cases find themselves slaves, even in the bosom of written liberty."

"A landlord in Ireland can scarcely invent an order which a servant, labourer, or cottier dares to refuse to execute. Nothing satisfies him but an unlimited submission; disrespect, or anything tending towards sauciness, he may punish with his cane or his horsewhip with the most perfect security. A poor man would have his bones broken if he offered to lift his hand in his own defence."

But it was inevitable that such tame submissiveness could not last, and the people were at length goaded into crimes that were foreign to their nature, their natural kindliness destroyed by exactions, and transformed by oppression into vindictiveness.

Mr. Wiggins, agent to the Marquis of Headfort, visited the most disturbed districts, where the people were sheltering murderers, and were often themselves murderers, and when his sympathies with them in their troubles were known he met with nothing but kindness.

Writing in 1823, he said: "Goaded by distresses of the laws, irritated also by rents too high even for war prices, by the fallen prices of produce without corresponding reduction of rents and tithes, and by severities which have increased with the difficulties of their collection, the peasantry of Munster yielded to the influence of these, and probably of other less apparent causes, and, in the winter of 1822, insurrection and outrage became so extended as to require a large army to check its progress." For human patience has its limits after all.

Before the Lords Committee, in 1825, the following important evidence was given by Mr. Nimmo, an eminent engineer who had carried out some extensive works in Ireland. He said: "The Irish tenant being in debt, it is in the power of the landlord to drive his cattle, under the form of distress, to the pound, by way of making him pay his rent; but this form of distress is applied, not only to the raising of rent, but to the doing of anything else the landlord wants. For example, if I want a parcel of people to work for me at eightpence a day, and they insist on being paid tenpence, I complain to the landlord that the people are demanding exorbitant wages; that we cannot go on; we will not pay them these wages; the landlord, whose interest it is to have the work go on in order that money may be paid to his tenantry for the purpose of paying his rent, sends instant notice that, unless they go to the work on the road at eightpence a day, all their cattle will be driven to the pound.

"Now, I conceive, the object being not to pay rent, but to do the roads, this is an illegal use of their power; and, supposing the landlord wanted them not to work on the road for me, they would have a like notice for that. Notice has been sent to a man that, if he went to work on the road, his cattle should be driven next morning to the pound; consequently he may be made to do anything the landlord pleases.

"I conceive the peasantry of Ireland to be in general in the lowest possible state of existence. Their cabins are in the most miserable condition, and their food, potatoes, with water, without even salt. I have frequently met persons who begged of me on their knees to give them some promise of employment, that from the credit of that they might get the means of support."

When the Committee asked him what he thought was

the cause of the poverty he had been describing, Mr. Nimmo said: "It is unquestionable that the great cause of the miserable condition of the people, and of the prevailing disturbances, is the management of land. There is no means of employment, and no certainty that the peasant has of existence for another year, but by getting possession of a portion of land on which he can plant potatoes. The landlord has, in the eyes of the peasant, the right to take from him in a summary way everything he has, if he is unable to execute those covenants into which he has been obliged to enter from the dread of starvation.

"I conceive there is no check to the power of the landlord. Under cover of the law the landlord may convert that power to any purpose he pleases. When he pleases he can extract from the peasant every shilling, beyond bare existence, which can be produced by the peasant on the land. The lower order of peasantry can thus never acquire anything like property; and the landlord, at the least reverse of prices, has it in his power to seize, and does seize, his cow, bed, potatoes in the ground, and everything he has, and can dispose of the property at any price."

A few years before this, the effects of the villainous land system of Ireland were thus described by an eminent Irish judge, named Fletcher, in a charge to the Grand Jury of Wexford, at a time of many agrarian outrages.

"Gentlemen," he said, "the moderate pittance which the high rents leave to the poor peasantry the large county assessments nearly take from them. Roads are frequently planned and made, not for the general advantage of the country, but to suit the particular views of a neighbouring landowner, at the public expense. Super-added to these mischiefs are the permanent and

occasional absentee landlords residing in another country, not known to their tenantry but by their agents, who extract the uttermost penny of the value of the lands.

"If a lease happens to fall in they set the farm by public auction to the highest bidder. No gratitude for past services, no preference for the fair offer, no predilection for the ancient tenantry (be they ever so deserving); but, if the highest price be not acceded to, the depopulation of an entire tract of country ensues."

The absentee and alien landlords lived safely in England and bled the people white, and the British Parliament was always on their side, sympathising with them as innocent property owners who had the misfortune to be bothered with a lot of "troublesome Irish" for their tenants.

Again and again eye-witnesses from England were constrained to remark upon the patience of the people. Said the Devon Commission, in 1845:

"We cannot forbear expressing our strong sense of the patient endurance which the labouring classes have generally exhibited under sufferings greater, we believe, than the people of any other country in Europe have to sustain." And they urged upon Parliament the need for improvements in the land laws so that the tenants might be given greater security of tenure, and compensation for their own improvements. "The uncertainty of tenure is constantly referred to as a pressing grievance by all classes of tenants. It is said to paralyse all exertion, and to place a fatal impediment in the way of improvement. We are convinced that no single measure can be better calculated to allay discontent and to promote substantial improvement throughout the country

Lord Stanley brought in a Bill with that object, but the landlord opposition in both Houses was so strong

that it had to be abandoned. Two years later Ireland was in the throes of another famine, the worst in her mournful experience. Nearly a million of the people died of starvation, and yet, in that very year, as Culloch says, 3,251,000 quarters of grain and meal were exported, the absentee landlords having the first charge upon the produce.

And again the marvellous patience of the people is testified to, as in the following speech by Lord George Bentinck, cited in O'Rourke's *History of the Great Irish Famine of* 1847:

"I can only express my great surprise," he said, "that with the people starving by thousands—with such accounts as we have read during the last two days, of ten dead bodies out of eleven lying unburied in one cabin, of seven putrid corpses in another; of dogs and swine quarrelling over and fighting for the dead carcases of Christians; of the poor consigned coffinless to their graves, and denied the decencies of Christian burial, that the price of the coffin saved might prolong for a few days the sufferings of the dying—I, for one, look with amazement at the patience of the Irish people."

Four years later the Census revealed the awful havoc which had been wrought by the famine upon a people who had been driven by landlordism to depend upon one crop, and who died when that crop failed. "But," says the Census Report, "no pen has recorded the numbers of the forlorn and starving who perished by the wayside, or in the ditches, or of the mournful groups, sometimes of whole families, who lay down and died, one after another, upon the floor of their miserable cabins, and so remained uncoffined and unburied till chance unveiled the appalling scene. . . .

"And yet, through all, the forbearance of the Irish

peasantry, and the calm submissiveness with which they bore the deadliest ills that can fall on man, can scarcely be paralleled in the annals of any people."

But the Pharaoh of landlordism hardened its heart, and still would not let the people go. At the very time of the famine there were 4,000 processes entered for rent at the quarter sessions of the barony of Ballina, and they nearly emptied the district, for the people fled.

The emigrant ships were filled with people escaping from their native country, no inch of which belonged to them, and carrying with them a hatred of England that was perfectly justified by the circumstances. Humane and enlightened men there were in Parliament, but they were outnumbered, and when reform measures passed the Commons, they were either destroyed altogether, or mutilated beyond recognition in the House of Lords. No part of the black record of that abominable anachronism is blacker than the record of its action in regard to Ireland. In the eyes of the overwhelming majority of its members the rights of landed property are sacred, even though they involve, as in the case of Ireland, the robbery (no milder word is suitable) of a nation. War has slain its thousands, but Irish landlordism has slain its tens of thousands.

Never once did the House of Lords delay for a single hour any Coercion Bill, or temper the harshness of its provisions with mercy. Never once did it fail to oppose any Bill that aimed at giving justice to the people. If the greed and selfishness of some men in relation to others are the root-causes of nearly all the troubles which afflict mankind, they are indeed personified and enshrined in the Legislative Chamber whose members have their grip of lordship over nearly one-fifth of the British Isles.

Twenty-three years after the Great Famine had done its deadly work, and after nearly three millions of the Irish people had left their native land for ever, the principle was at length permitted by the Lords to pass into law that the Irish tenant was entitled to be compensated for his own improvements; and even Lord Salisbury was constrained to say, "I only wish, for the credit of Parliament, that our machinery acted somewhat less slowly, and that the principle of compensation for improvements had been adopted directly after the Report of the Devon Commission." Unquestionably, the main reason why the machinery moved so slowly was the opposition of the Lords themselves, and the blood of hundreds of thousands of the Irish people lies on their heads.

Eleven years later, the State stepped in to put an end to the systematic rack-renting which still went on, and, in a few years after that, the dual-ownership system began to be broken up, and to give place to the one that is now being established, the credit of the State being employed to get rid of the big landlords and to install the tenants as freeholders.

That system is not the best—it has serious defects; but it is immeasurably better than the one it displaces, and, in any case, it was the only one which the Irish people and public opinion generally were ripe for at the time.

In conclusion, it is obvious that the whole of the Irish trouble, the whole of the sufferings of the Irish people, and the whole of the embitterment of the relations between England and Ireland, are traceable to the one gigantic injustice which was perpetrated when the land was wrested from the people to whom it rightfully belonged, and parcelled out among men of an alien race and an alien religion in order to secure them in an

utterly unjust ascendancy over the natives of the country. Not Ireland alone but England also has suffered, and is suffering, from the inevitable effects of that criminal blunder, and must continue to do so until that ascendancy, under whatever guise it may show itself, has been absolutely destroyed.

CHAPTER XV

LAND-REFORM PALLIATIVES

Parliament commits a great error in giving all the benefits of State credit to a comparatively small and select class.

LORD MORLEY.
Speech in Parliament on Irish Land Purchase Bill, 1903.

The turning aside of capital from the cultivation of the land to its purchase is one of the chief vices of our French rural economy.

DE LAVERGNE.

TO thoughtful men it has long been clear that the evils of the present land system are so great that some important changes must inevitably be made in it. That feeling has steadily been growing, and the land question is now coming to take its proper place in the very front of practical politics. Even the great political party which has always been dominated by and identified with the landed interest, is driven at last to admit that something must be done to make the land monopoly more acceptable to the people.

The first obstacle which always confronts reformers is the existence of a general feeling that everything is very well as it is, that no change is needed at all. And it always takes many years of patient and persistent education and agitation to break down that first barrier. Besides the active opposition of the vested interests themselves, a much greater difficulty is encountered in the sluggish contentment and inaction even of those who would be benefited by the proposed change. It is so easy not to think, so easy to do nothing. And then

there are always so many other questions that may seem more urgent, usually questions of far less importance.

So it has been in the case of land reform. It has taken so long for the democracy to win a "place in the sun" at all, that, until recent years, they have been content with the achievement of the franchise, and with political reforms of various kinds. And now, having the vote (though as yet incomplete), and a measure of education, they have begun to turn their attention to questions of social reform for the betterment of their condition.

The Chartists, nearly seventy years ago, were wise enough to see that political liberty was only a means, not an end in itself. And they saw that the land laws were the greatest enemy of the people. More than that, they saw that the only reform of those laws that was worth their consideration was one that would end in the nationalisation of the land. They were absolutely right, but they were ahead of their time.

The second obstacle which confronts reformers is the attempt that is always made by those who have hitherto resisted all change whatsoever to turn the attack aside to minor issues, and to direct it on to wrong lines. The loaf is asked for, the crumb is offered. And too often the crumb has been accepted, and the vested interest goes on for another period until a further concession becomes again inevitable.

A gardener knows that when a fruit tree gets into a certain condition of disease or age, no trimming or dressing is of any use at all. The tree must be grubbed up. It has outlived its usefulness, and it must make room for a better.

And so with a machine. It may have been excellent in its day, but it has at last to be scrapped.

In process of time, too, every building falls into decay. It has to be shored up, to prevent it falling down, it is a constant source of inconvenience and danger to those who live in it, and a constant expense and worry to its owner. Repairs are no longer of any use, and it has to be pulled down at last.

The present land system has been through the repair stage, it has outlived its day, and it must be reconstructed. Its foundation is bad, and always has been, for it has been built upon the denial of the great truth that all men have an equal right in Nature's gift to all mankind.

That is the one simple test by which all land-reform palliatives must be tried. The difficulties which landlords and lawyers have artificially created in order to intensify the monopoly of land are absurd and unjust; but the mere registration of titles, limitation of mortgages, and cheapening of land transfer, good as they are while land is private property, are simply palliatives. They leave the root of the evil untouched.

It is wrong that the land should be monopolised by a few landlords, but the evil of the system is not that land is held in great estates, but that it is treated as private property at all. The mere cutting up of those estates into smaller pieces would simply remove some evils and set up others in their place.

Again, it is unjust that buildings put up by one man should be confiscated by another; but the elimination of the ground landlord, and the establishment of the leaseholder as a freeholder in his place, is no proper solution of the difficulty. It is merely a palliative, and leaves the root of the trouble exactly as it was.

When tried by the test above referred to, the proposals for free trade in land, small ownerships, and leasehold enfranchisement (as generally understood), all alike

break down. For they all assume that the land is a rightful subject of private property. They all ignore the rights which the community as a whole has in the land. They all involve inequality in the possession of it, and exclude great masses from its possession altogether. They all enable private individuals to appropriate to themselves the value of land, which is a social creation, and which ought to be applicable as public revenue for the public service. And they all shut out the possibility of that measure of public control of land, which is absolutely necessary for the safeguarding of public interests, and the development of land in the best possible way.

Apart from these considerations there are others. We have always been told by the champions of private property in land that great estates are better managed than small ones, and there is much truth in the contention. A tenant is generally better off under a rich landlord than under a poor one. He is more likely to be treated with some consideration. And the good of the estate as a whole is more likely to be kept in mind when it is under one ownership. For this reason, if for this reason alone, it would be better to treat the land as one great national estate, with large areas under one administration, than to cut it up into many separate properties, each conflicting with each other, and all together conflicting with the supreme interest of the community.

The artificial creation of small ownerships by the help of the State is reaction pure and simple. It is not only a partition among a part of the people of that which belongs to them all, but it is not the best system even for those who are intended to be benefited by it. For a tenancy of land is better than an ownership, if it be accompanied by proper conditions. These conditions are:

1. Security of possession.

2. Freedom of initiative in its development.
3. Ownership of improvements effected by the tenant.
4. A fair rent, fixed by an impartial Land Court.
5. The payment of rent into the public exchequer, and the consequent exemption of improvements from taxation.

As regards the first three of these conditions a State tenancy is no whit inferior to an occupying ownership, for an occupying owner cannot rightfully claim, or reasonably expect to have, absolute *fixity* of tenure.

It is true he does not pay rent, but this is much more than counterbalanced by these three considerations:

1. He loses the interest on the money he has invested in buying the freehold, and this is, in reality, equal to the payment of a rent.
2. In most cases he is burdened with a heavy mortgage, and the interest on the mortgage is a second rent.
3. If the State does not possess the land it taxes the buildings, and this constitutes a third rent.

Moreover, the occupying owner has a great part of his capital locked up in the freehold. He would do much more good with it as working capital, and realise more interest on it as trading profit.

The tempting bait is being held out to farmers by the advocates of occupying ownership that the State will advance nearly the whole of the purchase money, if not all. But what would be the security for the advance? In Ireland the farmers generally own the improvements, and the State has some security for the money it advances. In England the State would have to advance the money, not only for the land, but also for the buildings, which are now the property of the landlord.

And, even if this difficulty were surmounted in favour of

the first State-aided purchaser, all subsequent purchasers would have to pay a deposit, and thus deplete their working capital, besides, in the great majority of cases, having to raise the balance on mortgage, and to be subject to the disabilities already described.

There is the further objection that the universal tendency to the mortgaging of small freeholds would lead in time to their being merged into larger holdings. This tendency to the re-creation of large freehold estates is already at work in Ireland, and shows the wisdom of Lord MacDonnell (then Sir Antony MacDonnell) in inducing the then Government (in 1903) to provide in its Land Purchase Bill of that year that the State should retain a one-eighth share of the land by means of a perpetual quit-rent.

Unfortunately the Irish party were opposed to this provision, the Government were themselves not enamoured of it, and it was at once dropped.

Lord MacDonnell's authority on this subject is so great that the following extract from a speech made by him at Dublin, in February 1903, is worth recording:

"Supposing that the land is transferred on a great scale from landlords to tenants; supposing that the tenants become the owners of their holdings on reasonable terms, shall we have seen the last of the Irish land difficulty? The answer to that question depends entirely on the character of the tenure to be conferred on the tenants by the coming Act. In this matter, gentlemen, I speak my individual opinion, and I beg you will understand that I do not pretend to express the policy of the Government.

"But I am free to say on my own account that if the fee-simple in holdings is without qualification conferred on the tenant, if the tenant, on redeeming his

purchase annuity or on completing the payments under it, shall be free to mortgage, to sub-let, and to sub-divide his holding, then my conviction is that the time is not far distant when the condition of the tenantry of Ireland will be worse than it has yet been. Gentlemen, I wish to impress upon you and upon the country the tremendous importance of the issue thus raised. Its importance was present to the minds of Lord Dunraven's Conference, which, in the 18th article of its report, calls attention to the matter, without, however, making any suggestion as to how it should be dealt with.

"I myself have no faith in a peasant proprietary unless protected against the evils incident to that system of land tenure. We have all read about, and some of us perhaps have seen, the working of the peasant proprietary system in Europe. I myself have had wide experience of the analogous systems in India, and my experience has always been the same. Everywhere the gradual declension of the peasantry from prosperity to ruin has been repeated.

"The process is this—First, there is a period of prosperity, with a rise in the standard of comfort; then follows indebtedness, slight at first, but ever growing with the facilities which are readily afforded by the usurer. Next come mortgages, and then comes a sub-division and sale to meet the mortgagees' claims. Finally comes the crash; and the grandson of the tenant-proprietor becomes the sub-tenant on his former patrimony, while the usurer becomes the rack-renting landlord; a landlord of a far worse type than any which Ireland has presented in the past. Gentlemen, this is the process with which I am familiar, and, being familiar with it, I am naturally anxious that it should not be repeated in Ireland.

"It may be said that Ireland is not India, and that Irish peasants are able to take care of themselves and need no grandmotherly legislation. Well, let me give you an example taken from European experience, and of the present day. I quote from an important article in the *Times* newspaper of February 5, on the subject of indebtedness and its effect on peasant proprietorship in Italy.

"'The indebtedness of the southern agricultural population is equally notable. In the Neapolitan provinces alone the Bank of Naples and the Bank of Italy held last April, through foreclosures of mortgages, landed property to the value of 57 millions of lire—more than £2,000,000 sterling. The growth of debt, want of credit, scarcity of labour brought about by emigration, the ruin and gradual disappearance of peasant proprietors—all causes which act and react upon each other, have conduced to a state of things which grows increasingly worse every year. Baron Sonnino hardly exaggerated it when he said at Naples: "Agriculture is perishing; the country is being depopulated, losing the most healthy and vigorous of its labourers; property is being crushed under the cruel weight of its fiscal burdens, imposed both by the State and local taxation, and under the burden of its own debts; that portion of the rural population which does not seek exile plunges deeper into misery every day; local factions wage their fruitless warfare; mutually bandying accusations of responsibility for their common loss; and in the midst of the general discontent, sometimes actively rebellious, and at other times crushed and resigned, the only thing which swells and prospers is the blood-sucking octopus of usury."'"

The same kind of thing is going on in Germany. Mr. T. C. Horsfall, a great authority upon the conditions and

institutions of that country, and to whom is due the credit for the introduction into England of the German system of town planning, wrote the following letter to the *Times* in February 1910:

"Sir,—Sir Gilbert Parker tells us that 'every country adopting' the policy of freehold for small holders 'has made it successful—Germany, France, Italy, and, pre-eminently, Denmark, etc.' This is a very bold assertion, having regard to the fact, well known to all who know anything about German landholders, that the burden of debt on them, small and great, is so intolerable that the country is inundated with books, pamphlets, and addresses, in which proposals are made for limiting by law the degree to which land may be mortgaged, and for getting the existing debts paid off, by the help, direct or indirect, of the State, till they are within the proposed limit. In the year 1902 the landholders were, on an average, in debt to the extent of 26·4 per cent. of the value of their land and capital, and the amount of their debts has continued to increase every year. This state of things leads to a large number of compulsory sales. Thus, in 1903 53·63 millions of marks of debt were paid off by the proceeds of compulsory sales of land; in 1904, 46·71 millions, and in 1905, 50·13 millions. In Austria the same evil exists. For some years about 10,000 peasants have had their holdings compulsorily sold each year.

"These facts ought certainly to be taken into account by all who wish to learn whether freehold or leasehold is the better system for small holdings in this country."

Again, Mr. B. Seebohm Rowntree, in his thorough and valuable work, *Land and Labour: Lessons from Belgium*, has shown that there is the same tendency for the small owners in that country to mortgage their

land. "The largest proportion of mortgages," he says, "is to be found among proprietors who own from $7\frac{1}{2}$ to $86\frac{1}{2}$ acres, and with them the amounts vary from an average of £9 12*s.* 5*d.* per acre, on farms from 37 to 62 acres each, to £21 10*s.* 7*d.* on those from $7\frac{1}{2}$ to $12\frac{1}{3}$ acres."

In America the freehold system has been given every chance, and yet the freehold farm is giving place to the rented farm, as is shown by the following, which appeared in September 1907 in the *Chicago Public*:

"An investigation into the relations of landlord and tenant in Wisconsin, made by Prof. Taylor, of the State University, has disclosed unlooked-for and ominous conditions—conditions which no philanthropic readjustment of the mutual interests of landlord and tenant can remedy. The rapidity with which tenant-farmers appear to be displacing land-owning farmers is startling. Prof. Taylor discovers that of a total of more than 44,000 persons in Wisconsin who are directly concerned in the leasing of farm land, 22,996, or 52 per cent., are tenants. The increase was from 12,159, during the decade—almost 100 per cent. . . .

"The truth is that this movement towards an increase of rented farms, which is advancing throughout the West, and has been for years, so far from implying an increase in independent farming, implies an extension of monopoly in farm ownership. The fact is now almost visible to the naked eye, that in the United States tenant-farming is becoming the rule."

In 1893 there was a land-mortgage crisis in America, and the question of the increasing indebtedness of freehold farmers to banks and moneylenders was widely discussed.

The census returns showed a mortgage indebtedness

for 33 states and territories of over 4,935 million dollars, and, the same ratio of debt to assessed valuation being assumed for other States, the total indebtedness comes out at 7,100 million dollars, or 1,420 millions sterling, not including railway mortgages. An attempt to classify the lenders of all this money gave 355 millions sterling held by savings banks, insurance companies, etc., 788 millions by local investors and capitalists, 249 millions by non-resident investors, and 28 millions by American mortgage, loan, and trust companies.

Turning to the evidence supplied by our own country, we see the same absorption of small freeholds into large estates, a fact which has been noticed by one of the leading advocates of small ownerships, Sir H. Rider Haggard. In an article in the *Windsor Magazine*, he wrote the following :

" The most perfect instance of this change that I can remember to have met with in all my journeyings in rural England was in the parish of Weston Colville, in Cambridgeshire. Here, Mr. Hall, who owns most of the land in that neighbourhood, showed me a map of it, dated 1612, which he had found hidden away in some cottage.

" This parish contains about 3,200 acres ; and, as the map shows, in 1612, over 2,000 acres of it were held by some 300 or more small owners. Now that same land is owned by one man, and cultivated by three. The strange part of this case is that the soil is very light, in part almost a ' blowing sand,' which, to produce anything, must have been heavily manured. Yet in the time of Queen Elizabeth hundreds of people would appear to have wrung a living from it, which is more than the large farmers of such country do every year in our generation.

"Another case that I met with was that of Feckenham, in Worcestershire, of which I have also seen an ancient map. This map shows that, in 1591, nearly 3,000 acres were held by 53 different owners. Now they are held by six.

"How did this change come about? Doubtless the Enclosure Acts of the last century had something to do with it, since by taking away the common pasturage they rendered the little arable holdings almost valueless.

"Another cause was the great increase in the value of land which occurred at certain periods during the last century. Land was then looked upon as the safest form of property, and one of which the possession conferred dignity and other social advantages. Therefore, it came about that most English county families which had the money set to work to increase the size of their estates by buying out the little yeomen and other smallholders who held freeholds or copyholds in their neighbourhood."

Again, Mr. W. E. Bear, in his *Study of Small Holdings*, refers to the small freeholds of the Isle of Axholme, in Lincolnshire, and says: "Judging from the information obtained, I should say that the occupiers who hire land are at least as favourably situated as those who own it, and that they do better than those who gave very high prices for their land some years ago, and who are burdened with heavy mortgages." If this be true of private tenancies, how much more does it tell in favour of public tenancies, where fairer rents and greater security could be counted upon!

The statesmen of Westmoreland and Cumberland, as the surviving yeomen of those counties are called, came in for their share of consideration. In that district, again, the tenants have stood hard times better than the owners.

One good authority told Mr. Bear that the small proprietors were dying out, "the reasons being the heavy burden of interest on mortgages, charges on the land which the heir has to pay the rest of his father's family, and the tempting prices offered for the land by neighbouring owners and rich men from the towns."

A mass of evidence was given before the Welsh Land Commission showing that in a very large number of cases those farmers who had bought their farms were weighed down by mortgages, and would have been better off if they were tenants. The following cases are typical of many others:

(*a*) 44 acres bought for £700, present mortgage £600, annual interest £24, previous rent £22.

(*b*) 31 acres bought for £650, present mortgage £400 at 4 per cent.

(*c*) A farm bought for £1,000, present mortgage £700, annual interest £28, previous rent £34.

(*d*) 44 acres bought for £1,000, present mortgage £900, annual interest £36, previous rent £30.

Mr. Pringle, in his admirable report to the last Royal Commission on Agriculture, told of a man in the Isle of Axholme who in 1850 had, as a farm labourer, saved £100, and with it bought a small holding with a grass croft and orchard. Such a beginning would, in fanciful stories, mean a steady ascent to independence and wealth, but in real life it was far different. The man gradually acquired more land, in every case at market value, but none the less at prices beyond its real worth; and now, after his fifty years of hard work and thrift, he finds himself in this position: he has paid in hard cash, saved out of his earnings, £880; he has also paid in interest (rent, *i.e.*, in another form) from £50 to £60 a year for land whose market value was not, on the average, more

than £30 or £40 a year at the outside, and he now owns (!) a farm valued at £975 and mortgaged for £1,415, and has to pay nearly £60 a year for the right to live there and to use the land. Nor, of course, is this the worst, for he is personally liable for the £400 or £500 mortgage debt which will remain due after sale of the land, and is liable at any time to be reduced to bankruptcy and to be sent to the workhouse as a pauper. Nothing, probably, saves him from this cruel fate but the hope of the mortgagee, that he may, by holding on, obtain a better price.

The Royal Commissioner was told that "the only way to obtain land in the Isle is by purchase, and farmers had consequently grown accustomed to look upon interest on mortgage in the same way as a tenant looks upon rent."

Of course it is rent. It is, moreover, fixed rent, and fixed by reference to an artificial and temporary value. And, as some of them found to their ruin, the principal is not only a charge on the land, carrying with it a fixed rent above its worth, but also a personal liability. "About twenty years ago," the Commissioner says, "when the price of agricultural produce was high, and trade of all sorts very brisk, the value of land went up by leaps and bounds. In a similar degree, the desire of small freeholders to add to their possessions and extend their farming operations increased. A regular struggle for land ensued, and unreasonable prices were realised." In 1873, "the selling value of land in the Isle of Axholme ranged between £120 per acre for the primest samples to £60 for inferior soil. The small farmers grew reckless and would have land, cost what it might." They easily borrowed most of the money on mortgage, and so their ruin was effected, for the market value of land declined to about £30 per acre, and it was difficult to sell it even at that price.

The only persons who have benefited are the fortunate owners who realised in the good times. For in numerous instances, the mortgagees have been very heavy losers.

Take a few extracts from the report: "A labouring man bought three pieces of land for £225. He paid £125 in cash and borrowed £100. Quite lately, the mortgagee called in his money, and the place was sold for £90. There have been many cases within the last fourteen years." "There have been several cases of late where foreclosure took place, and the mortgagee lost nearly one half." "I am paying interest on mortgage. I can't sell the property, for it would not clear itself." "If the mortgagees were to foreclose and sell up my land, the proceeds would not nearly square the account." "The mortgaging system has been the ruin of the Isle. If Haxey Parish were sold up to-morrow, it is not solvent." "Others, who had lots of good clear property, have lost all by borrowing to buy more, and are now labourers living in rented houses."

Dr. Alfred Russel Wallace, in his *Studies: Scientific and Social*, says: "The real obstacle to peasant proprietorship or small yeoman farmers in this country is the land-hunger of the rich, who are constantly seeking to extend their possessions, partly because land is considered the securest of all investments, and which, though paying a small average interest, affords many chances of great profits, but mainly on account of the political power, the exercise of authority, and widespread social influence it carries with it. The number of individuals of great wealth in this country is enormous, and, owing to the diminution of the more reckless forms of extravagance, many of them live far below their incomes and employ the surplus in extending their estates. The probabilities are that men of this stamp are increasing, and will increase,

and the system of free trade in land would serve chiefly to afford them the means of an unlimited gratification of their great passion."

And Mr. Balfour also put the case against small ownership with remarkable clearness at the Industrial Remuneration Conference in 1885. "With very great reluctance," he said, "I am compelled to accept the view that a peasant proprietary may, and in all old countries where it extensively prevails actually does, co-exist with great poverty in the large towns, with low wages, and sometimes with harsh treatment of the labourer in the country districts.

"While the peasant proprietors are hard masters, and, where they have the chance, hard landlords, they themselves are too frequently subjected to a condition of dependence more cruel than that of any tenant of any landlord or any employer—the dependence, namely, of a small debtor on a professional moneylender.

"If its success has been so qualified under the exceptionally propitious conditions which prevail on the other side of the Channel, there is no ground whatever for supposing it would be other than a disastrous failure here, where neither the habits of the people, the tradition of the country, nor the character of the agriculture are suited to it; where it has shown no tendency to take root in districts in which it has not previously existed, or to thrive in districts where it has.

"The truth is that, except in the case of market-gardening, the system of peasant proprietorship lies in unstable equilibrium between two opposite dangers, from both of which it rarely succeeds in escaping.

"If, on the one hand, the small freeholders are but feebly influenced by 'land hunger,' those of them who are lazy and thriftless will sell rather than mortgage their

holdings whenever the inevitable demand for money comes upon them; while those of them who are energetic and enterprising will also sell, because in old and settled countries it is usually more profitable to farm and pay rent for much land, than to own and cultivate a little.

"If, on the other hand, the peasants are powerfully moved by 'land hunger,' then, rather than sell, they will mortgage their holdings, if necessary at extravagant rates; rather than not buy, they will give extravagant prices for any plot of ground that comes into the market; rather than give up their share of the ancestral fields on the death of a parent, they will submit them to ruinous sub-division.

"In the one case the system gradually dies out; in the other it produces little but evil."

The preponderating weight of all the available evidence proves, in fact, that small ownerships are inferior to tenancies, even when the tenancies are held under private landlords. It follows that they are still more inferior, for reasons already given, to State tenancies such as are here advocated. And, in further proof of this, it must be mentioned that no less than 98 per cent. of the applicants under the Small Holdings Act of 1908 have preferred to become tenants of the Public Authorities to becoming the freeholders.

The truth is that the small-ownership movement is mainly supported for political reasons. For, as the late Lord Derby said, a large addition to the number of landlords would give "a heavy blow to schemes of land nationalisation. For you may trust the owner of ten or twenty acres to defend the rights of property as effectually as if he owned 1,000 or 2,000." It means that the big estates would be fortified against all attack by an army of small owners, and the nation would be

still kept from its own by the selfishness of a large number of men interested in keeping it for themselves.

Further arguments are given in the following extract from a speech by Mr. Asquith on January 22, 1895, and with it this criticism of plausible, useless, and dangerous land-reform palliatives may be concluded. Referring to Mr. Chamberlain's proposal to give State aid to working men for the purchase of their dwellings, he said: "For my part, I am strongly opposed to any scheme of the kind, and for two reasons: in the first place, I do not believe the working classes of this country, as a whole, have any real desire or any real interest in the acquisition of the freehold of their dwellings. If a man has got a house, to that extent he is not mobile. He is a fixed man, and, in industrial operations which tend more and more to become migratory and to require the rapid transport of the labourer from one quarter to another, I can see the working man would find himself very much embarrassed in his negotiations with his employer by being tied down to any particular locality by ownership of the soil. But apart from that, in my judgment, if the municipality is to interfere—I don't say it should not—in the execution of some scheme which displaces a large number of existing dwellings, if the municipality is to interfere in this matter it ought to acquire the land and retain the land for itself. It ought not to seek the creation of new interests which will make subsequent dealings with the soil more difficult, and which will put the unearned increment into the pockets of the individual. *The municipality ought to acquire the land for itself*, and then I agree it becomes its duty to let it out upon reasonable terms to persons who desire to use it."

CHAPTER XVI

THE SINGLE TAX

History records many things which ought to make us hate evil actions; but neither history, nor morals, nor policy can teach us to punish innocent men on that account.

EDMUND BURKE, *Letters on Irish Affairs.*

THE whole purpose of the preceding arguments and illustrations being designed to prove the inherent inequity and impolicy of private property in land, we now pass to consider a proposal which has been put forward with much skill, energy, and persistence, and which claims to be a complete solution of the land problem.

It is, of course, well known that the movement for the taxation of land values owes its origin to the teachings of Henry George, and that *Progress and Poverty* is its Bible. With inimitable power Henry George impeached the system of private ownership of land, and with a wonderful eloquence which appealed to the emotions. He put a life into the dry bones of political economy that no other writer had ever succeeded in doing, and he had the inestimable advantage, which few great writers ever possess, of being a master of platform oratory as well. His works have been translated into many languages, ardent disciples of his are to be found in many countries, and his principles have, if only partially, been applied by statesmen.

Looking at the vast undeveloped resources of America, withheld from present use for the sake of future profit,

he came to the conclusion that, if all land were taxed on its real value, the dog-in-the-manger policy of the land speculators would be rendered impossible, the big estates would be cut up and sold to the actual users, and there would be such abundance of employment that wages would rise to the full level of a man's earnings, and poverty would be completely abolished. And he imagined that there would be no difficulty in starting with a small tax which could be gradually increased until the entire value of land was absorbed in taxation, or only enough left to the landlords to induce them to act as tax-collectors for the State.

It cannot be said that his doctrine of destroying private property in land by such means has made much headway in any country, but there is in the proposal something that has commended itself to many men for other reasons. And so we find there is a very strong movement for the taxation of land values as a means of forcing withheld land into the market, of reducing land rents and land prices, and of making the owners of land contribute more than they do now to the expenses of government.

These objects are so good and reasonable that the policy which promises their achievement numbers among its supporters a very large number of men who have no desire and no intention to go much further than a very short way along the road which Henry George planned out for them. While, therefore, the leading spirits and the active engineers of that movement are themselves wholehearted believers in Henry George's gospel, it derives its main weight and influence from men who see no wrong in private property in land and have no wish to destroy it. The hope is, however, cherished, that when the first step has been taken, the beneficial results

which are prophesied for it will be so convincing that the next step will become inevitable, and that the moderate supporters of the experimental stage will as ardently work for all the succeeding stages as they now do for the imposition of a small but universal tax on land according to its value and not its rent.

The taxation of land values must therefore be considered not merely as a justifiable means of raising revenue from sources at present untapped, or as a means of bursting the land monopoly and pricking monopoly prices, but as a possible method of abolishing private property in land. It is the only serious rival and competitor of land nationalisation by purchase, and its claims must be examined in the light of that fact. Just as the advocate of Free Trade is compelled to deal with the rival theories of Protection, and has no other chance of clearing the ground for his own case, so the land-nationaliser is compelled to deal with the land-taxer's claim that nothing more is needed than the progressive taxation of land values. The questions arise at once, Is it practicable, is it effective, and is it just? To the present writer the answer in each case is in the negative.

It is perfectly just that the value of land should be separately assessed, and separately rated or taxed, but it is quite obvious that very much depends upon the *amount* of the special tax on land. Thanks to the tremendous influence which the landed interest has enjoyed for centuries in the making and administration of the laws, they have escaped their fair share of the burdens of taxation in the past. They have had a very good innings, and they have made the best use of it for themselves. And it is only right that they should pay more than they pay now. At the same time it must always be remembered that untold millions of earned

money have been invested in the purchase of land. It has been looked upon as the safest investment that a man could put his savings into, and its price has been determined in part by the taxation it at present bears, and by any additional burdens which may be reasonably anticipated in the future.

The Henry Georgeite tells us that the question of compensation or no compensation does not arise under his scheme. That is quite true, but the question of fair-dealing does, and when new taxes are proposed, or additions to old taxes, a proper regard must be paid to all legitimate interests which have been allowed to grow up under the sanction of the law. It is beside the mark to say that private property in land is wrong *in toto*, that land values are the rightful revenue of the State and not of the individual, and that nothing can ever justify their permanent appropriation to private ends. In all these contentions the land-nationaliser agrees. They are common ground. But hard facts have to be faced, however much we may try to avoid them,.

The problem before us is the righting of a great wrong, not the punishment of wrong-doers. If we had to deal with those who started that wrong, the issue would be as simple as it is now complex. Even if we had only to deal with their proved descendants, it would be simpler than it is. If we had to deal only with great landlords, there would be less difficulty. If we could discriminate (as we cannot) between those who have bought land, and those who have merely inherited it from ancestors who never bought it in the first instance, it would be different. But we have to deal with a large number of men who had no part in the institution of the system, who are no more responsible for its maintenance than the rest of the people who have similarly acquiesced in

it, and who often derive less profits from it directly than many others derive indirectly who do not own any land at all. Therefore to treat them as if they were specially responsible for the system would be manifestly unfair, and any attempt to do so would quite certainly fail.

It is not upon such lines that the nation's right to the land is ever likely to be successfully asserted. "The common sense of most" rebels against it. Even the landless democracy is opposed to it, for the direct representatives of labour in Parliament are unanimous in favouring the nationalisation of land, accompanied with compensation, rather than the policy of taxing the landlords out of existence.

It is often argued that the masses of the people were not represented when the landlord system was established, that they had no part in the making of the land laws, and that they are therefore entitled to set them aside as of no validity. Their right to revise the laws is unquestionable, and when they do so they are likely to show far more consideration to the landlords than was ever shown to the rights of the common people in times gone by. But, even if they were as likely to do it unfairly, as they are to exercise mercy and moderation, the fact that they had the power would be no proof that they had the right. A wrong does not become a right simply because it is backed by numbers. Might is not right, and never can be—the might of numbers no more than the might of privilege. A Parliament that is elected under universal suffrage must therefore as strictly observe the laws of justice, which are higher than all the laws of Parliament, as Parliaments, elected on a narrower franchise, ought to have done but did not.

Civilised government would be at an end if no respect

were to be paid to contracts previously entered into and sanctioned by the law. The minority that opposes a war is saddled with its share of the cost of it, as much as if it had promoted it. And when it gets into power it enters into a legacy of debt for incurring which it had no responsibility. But it does not on that account repudiate its liability.

In the same way our laws have encouraged men to buy land, taxes have been levied by the State upon every transfer of it, and numerous regulations have been made with regard to it. Vested interests have therefore been established which it would be unjust to ignore when the State decides to reverse all its previous policy, and either to resume possession of the land or to increase the taxes upon it.

Private property in land is a mistake, not a crime. For that mistake we are all collectively responsible, including even those who as individuals may have protested against it and worked for its rectification.

And here it is well to notice that democracies, which have had the power to establish a just system which would have safeguarded the equal rights of all men to the use of the earth, have so far used it instead to divide the land among themselves as private property. The French Revolutionists took the land of the dispossessed aristocracy to be their own individual property. They rose against the abuses and exactions of the great estates, but they saw no wrong in private property in land so long as they had a share in it. The new territories of America and Australia and New Zealand formed great national estates which ought never to have been alienated. But the Governments of those countries, elected on a very wide franchise, have succeeded in a few generations in denationalising nearly the whole of two continents.

In Ireland, too, we have seen that that great patriot, Michael Davitt, completely failed to convince his countrymen that when the land was taken from the big landlords it ought to be made a national rather than a private possession. He stood almost alone. The farmers were not ripe for such a doctrine. Moved by the natural but shortsighted desire for their own immediate self-interest, which is always so powerful in governing human action, and which is responsible for most of the evils under which mankind suffers, they insisted upon the continuance of private property in land, leaving the future to look after itself. And scarcely a word of protest came from the landless British democracy anywhere.

Further than that, since the franchise has been extended, at election after election the masses have consistently voted for upholders of the evil system of treating land like an ordinary marketable commodity. This being so it can hardly be claimed on their behalf that they are quite free from blame for its continuance.

It is, however, blandly urged by the single-taxer that taxation is not confiscation. All that he proposes to do, he says, is to transfer taxation from one thing to another. Improvements on land are to be encouraged by being relieved, and the withholding of land from being put to its highest possible use is to be correspondingly discouraged.

The objects thus stated are undoubtedly good ones, and in time will be achieved. But the process of changing the present system of rating land and buildings together on their annual rental value to one of rating land alone on its selling value cannot be done justly unless done gradually. Even when it was completed it would not have taken us far on the road to the abolition of the private appropriation of land values, which is the

object its leading advocates have in view, and we should be no nearer to the public control of land, which is so important and necessary.

At the present time we levy a duty of a half-penny in the £ on the selling value of undeveloped land, which is equivalent to about a shilling in the £ on its potential annual rent. This was as far as the strongest Government of modern times found themselves able to go. The new proposal goes much further. If the same rate were levied on undeveloped land as on developed land, it would often be nearly ten times as much as the new tax that formed part of the 1909–10 Budget, and it is inconceivable that any responsible Government would propose such a tremendous jump as that. It must therefore be assumed that confiscation on such a scale, under the fair-seeming guise of a change in the basis of rating, is not within the range of practical politics.

But, besides the proposal that the "taxing out" process should be carried out by a new system of local rating, there is another for a national tax to be levied on all land values without any exception. For many years local authorities have received grants from the Treasury, and these now amount to £25,000,000. And they have been persistent in applying for more. It is suggested by land-taxers that the money derived from the national tax on land values should be applied, among other things, to further grants for education, poor relief, main roads, asylums, and police. Besides this they urge that it should be used to take the place of the duties on tea, sugar, cocoa, and other articles of food.

The work that has to be done by the new land taxes is therefore enormous. It covers:

The exemption or partial exemption of buildings and improvements from local rates.

The further relief of local rates by means of national grants.

The abolition of all taxes on food.

As if this were not enough, two of the best-known single-taxers, Mr. C. H. Chomley and Mr. R. L. Outhwaite, in *The Essential Reform: Land Values Taxation in Theory and Practice*, throw in as an attractive makeweight the nationalisation of the entire railway system; the buildings and rolling stock to be purchased, and the land to be "acquired" more cheaply through the progressive absorption of its value by taxation.

It is, of course, obvious that no moderate tax on land would ever achieve so much. And in any case, it would require very cogent reasons indeed to justify the entire cost of the proposed reforms being made to fall upon one class of property owner, to the corresponding relief of all others.

The present system proceeds, though roughly and imperfectly, upon the principle of taxing a man according to his ability to pay. The new system professes to proceed upon the principle of taxing a man according to the benefits he receives, and the result would be more rough and imperfect still.

The whole community, not merely the landlords, receives benefits from the expenditure of rates and taxes, although it is quite true that those benefits are not equal. It is good for us all that all children should be well educated, that there should be an effective drainage system, that the streets should be maintained in good condition and well lighted, that the poor and the afflicted should be relieved, that life and property should be protected by a well-organised police force, and that our shores should be guarded against aggression. To endeavour to put the whole cost of these public services upon

the owners of one kind of property, even though it be property in land, is therefore manifestly and grossly unfair.

If all landlords were rich men, and none but they were rich, there would be more plausibility in the proposal. As a matter of fact many landlords are men of very moderate means, and many of the richest men in the country have invested their money in improvement values to a greater extent than in land values.

One man saves £1,000 and buys industrial shares; he is to be relieved. Another saves £1,000 and buys land; he is to pay for that relief. A stockbroker hires an office in the city, rents a place in the country, cuts up the roads with his motor-car, and needs the police for the protection of his movable property. He is to be let off. Another man has bought a few acres of land which practically need no police protection, he is too poor to have a motor-car, and he gets his living by working on his own land; he and men like him are to pay so that the richer man may escape. A well-to-do manufacturer buys a piece of land and puts up an expensive factory which is worth a great deal more than the site it occupies. He pays rates on the total value of the land and the buildings. Under the new system he would only pay on the land. The difference is to be made up by other men whose ability to pay is often much less.

Now the raising of local and national revenues from land values, and the corresponding relief of buildings and other improvements, would undoubtedly be a very good thing. It is the ideal of the land-nationaliser as well as that of the single-taxer. But the former holds that it cannot be justly done except by the public acquisition of the land on fair terms, while the latter regards the landlord as the possessor of stolen property; and, although he does not propose to carry out the change

of system suddenly, and professes his desire to avoid the infliction of hardships, it is quite certain that serious hardships would arise if his policy were adopted.

The advocates of that policy have so far been very chary in giving details to show how their new system would work out in practice. They give plenty of instances to show that the present system checks enterprise by taxing it, and encourages the withholding of land from use by exempting it. But this is not enough. Destructive criticism ought to be supplemented by constructive statesmanship. They have been challenged to value a parish on their principle in order to show in detail the advantages which they claim for it. One of their chief spokesmen told the Departmental Committee on Local Taxation that they had done so, but it is most significant that he added the information that that valuation had never been published. The inference is obvious. In the meantime we have therefore to be content with Mr. Trustram Eve's valuation of a Bedfordshire parish.

Tabulated and summarised, this is the result according to that valuation:

	Present Rates.			Rates Payable on Site Values.		
	£	s.	d.	£	s.	d.
Cottages and Adjoining Land . .	67	8	3	101	17	4
Accommodation Land, without Buildings	32	18	6	344	7	6
Farm Houses and Buildings . .	28	18	0	8	2	9
Farm Lands	118	12	2	1,084	5	5
Special Properties . . . . (*E.g.*, a railway, a brickyard, two public houses, gentleman's house, etc.)	1,530	6	0	208	0	5
Oddments . . . . . (*E.g.*, tradesmen's premises.)	14	9	0	49	19	7

Allowing that this valuation puts the value of the land of the railway company and the brickyard at much too low a figure, it still appears that the very

properties which are the most prosperous and the best able to pay would receive an enormous relief, and those which are the least prosperous and the least able to pay would have to carry a very heavy additional burden. The railway and the brickyard dividends would rise, but what of the owners or tenants of the farm lands?

The question at once arises as to the power of the landlord to escape the new tax by transferring it to his tenants in the shape of a higher rent. In the case under review the farms now pay £147 10*s.* 2*d.* in rates. Under the new system they would pay £1,092 8*s.* 2*d.* To the extent to which the farms are relieved of rates on the buildings and improvements the rents might be raised without affecting the farmers at all. But, as the presumption is that they are already paying as much rent as they can afford, the landlords cannot raise it by an amount greater than the relief. As the net increase in rates is £944, this would have to be paid by the landlords.

Surely by all the canons of fair taxation such an impost cannot for a moment be defended. Bad as the landlord system is, the landlords are entitled to be dealt with more mercifully than that. It is also difficult to see how the agricultural industry would be benefited by the crippling of those upon whom now devolves the first cost of farm buildings, or how it would assist them to carry out their duty (already so notoriously neglected) of putting up cottages for the farm workers.

In so far, therefore, as a landlord is unable to shift a land tax to his tenants, it is necessary that it should be moderate in amount if unwarrantable hardships are to be avoided. And, in so far as he is able to shift it, the tenants will gain little by the proposed change, while the State will fail to secure the land values to which it is entitled.

CAN A LAND TAX BE SHIFTED?

Upon the question of the landlord's power to increase rent in proportion to the proposed new land tax a strong divergence of opinion prevails. On the one hand it is claimed that he cannot escape any part of it, and, on the other, that he can escape it altogether. The truth probably lies between these two extreme positions.

In support of the first proposition the single-taxer quotes the economists.

Adam Smith says: "A tax on ground rents would not raise the rents of his houses. It would fall altogether upon the owner of the ground rent, who acts always as a monopolist, and exacts the greatest rent which can be got for his ground."

Ricardo says: "A tax on rent would fall wholly on the landlords, and could not be shifted to any class of consumers."

John Stuart Mill says: "A tax on rent falls wholly on the landlord. There are no means by which he can shift the burden upon any one else."

At first sight this appeal to authority seems unanswerable. It is, of course, quite true—*other things remaining the same*—that the mere fact of a landlord having to pay an additional tax does not by itself enable him to charge more than he charges now. In the generality of cases he charges all he can now. He cannot charge more simply because his own outgoings are increased, whether the increase be due to a new claim by the State, or to private reasons, as, for instance, by the expenses of his family increasing. But the whole point of the single-taxer's case is that other things do not remain the same. His contention is that the taxation of land values would stimulate industry and create an unprecedented boom

in trade. The demand for land would therefore be much greater than it is now, capital would find new opportunities for profitable investment, and labour would be employed to the full. And, beyond all this, the whole body of land-users would be relieved of local rates, and of at least a part of the national taxes which they now have to pay.

Under these circumstances the dicta of the economists do not apply. For every one of the benefits which the taxation of land values is designed to accomplish must infallibly raise the aggregate value of land, and, the landlords being in possession, they would usually be able to recoup themselves by appropriating the increment which the improved land market would give them.

Henry George himself stated the position with his usual clearness and emphasis when he swept aside the contention that poverty could be relieved by greater economy in government. In *Progress and Poverty* (Book vi., Section 1) he says:

"A reduction in the amount taken from the aggregate produce of a community by taxation would be simply equivalent to an increase in the power of net production. It would in effect add to the productive power of labour, just as do the increasing density of population and improvements in the arts. And as the advantage in the one case goes, and must go, to the owners of land in increased rent, so would the advantage in the other."

If the proceeds of the new land tax were to be thrown into the sea, or to be devoted to the waging of a war, the users of land would receive no benefit, and land values would be unaltered. As they are to be devoted to the reduction of fiscal burdens and to the stimulating of trade and industry, the users of land would derive very substantial benefits which are bound to

express themselves in terms of rent. Therefore, so long as private property in land continues, the landlord would be able to intercept for himself the benefits that were intended for the tenant, and be able with one hand to recoup himself, in whole or in part, for what he is called upon by the State to surrender with the other.

To hold this view is in no degree inconsistent with the previous contention that the taxation of land values is unjust, when levied with the intention of taxing landlords out of existence. For although it would not have that effect upon all landlords, it would upon some of them. And in this very inequality of treatment lies one of the greatest objections to it. If they are to be destroyed by taxation they should all be treated alike. But the owner of developed land could, speaking generally, pass the tax on to his tenant. The owner of undeveloped land, or of under-developed land, could not. While, therefore, many (perhaps most) owners would escape scot-free, others would be hard hit, and some would be ruined.

Fortunately we are not confined to abstract arguments on this question. The system which is recommended by single-taxers for our adoption here in England has been already adopted in some other countries, and we can consequently test the theories by the results actually achieved. It should, however, be noted that all of them are new, or comparatively new, countries. In all of them the proportion of undeveloped land is very much greater than it is in our own country, and it is therefore better able to carry the newly-imposed burden. It is absolutely necessary to keep this important consideration in mind, although it is never mentioned by those who erroneously assume that the same results would be obtained here as in countries where the conditions are altogether different.

CHAPTER XVII

TAXATION OF LAND VALUES IN PRACTICE

NEW ZEALAND

AS long ago as 1878 New Zealand imposed a State Land Tax, but it was repealed thirteen months later. In 1891 the Government again imposed a Land Tax of 1*d.* in the £1, and in 1893 it exempted improvements altogether. Owners whose unimproved land was worth less than £500 were exempted, and an extra rate was charged on those whose land was worth more than £5,000, the object of the tax being not only to secure revenue but to break up the big estates. Ten years later, the rate upon those estates was increased, and again still further increased in 1907, and heavy special taxes were levied upon lands held by absentees. And this was the result:

COUNTRY FREEHOLD ESTATES OF 10,000 ACRES AND OVER

	Number of Owners.	Total Area.	Total Capital Value.	Total Unimproved Value.
			£	£
1891 . .	262	7,840,202	17,457,598	12,200,329
1902 . .	216	6,115,491	13,494,164	9,563,422
1906 . .	204	4,704,542	12,250,074	9,278,153

It will be seen that the number of the big estates has only been reduced by 25 per cent., that the unimproved value per acre has gone up from £1 11*s.* 1*d.* to £1 19*s.* 5*d.*, and that the average unimproved value of each holding has only declined from £46,565 to £45,481. It is true that

the total acreage has been reduced by 3,135,660 acres, but of this reduction nearly one-third is due to the State acquisition of land, and only two-thirds to the operation of the Land Tax. And when we look at other figures we find the following interesting and significant facts:

Owners of between	1892.	1906.
3,000 and 4,000 acres	146	227
4,000 ,, 5,000 ,,	109	147
5,000 ,, 6,000 ,,	66	78
6,000 ,, 7,000 ,,	50	75
7,000 ,, 8,000 ,,	38	56
8,000 ,, 9,000 ,,	29	27
9,000 ,, 10,000 ,,	25	42
	463	652

In the face of such facts it can hardly be claimed that the State Land Tax, heavily graduated though it has been against the monopolists of big areas, has achieved a very pronounced success.

But, besides the State Tax, all the municipal authorities in New Zealand have, since 1896, had the power to levy their rates solely upon unimproved land values, and more than half the total of the local rates of New Zealand are now raised in that way, no exemptions being allowed. It is usually spoken of as a great success, and the prosperity of New Zealand is attributed by land-taxers to this and to the State Land Tax, as if there were no other contributing factors. The latter was denounced in the most extravagant terms when it was introduced, as "punitive," "absolutely ferocious," "grossly tyrannical," "vindictive," "crushing," and "murderous." Time showed that it was none of these things (except in a minority of cases), owing to the peculiar conditions of New Zealand as a new country with the unearned increment growing faster than the tax, and to the consequent power of the landlords (speaking generally) to recover in increased rent what they had to pay to

the State. In an old country like ours the unearned increment grows more slowly. And just as the fears of its enemies were not realised (except in individual cases), so also were the hopes of its friends disappointed. For both had left out of account the growth of the unearned increment, and the capitalised value of the exemption of buildings from rates, which enabled the taxed landlords to recoup themselves in one direction for their loss in another.

Much has been made by special pleaders of the New Zealand revival of trade and increase of population from immigration during the last twenty years. Truly they have been remarkable. But how have the taxed landlords fared?

Improvements to the value of £50,000,000 have been placed on the land between 1891 and 1909. But the value of the land, apart from all improvements, has risen by no less than £81,000,000 in the same time, and this in spite of the State Land Tax, and the local rating (in half the municipalities) of nothing but land values.

Thus the industry of the whole people in a time of booming trade has produced new labour values to the amount of £50,000,000. And it has in the same period produced £81,000,000 in new unearned land values for the owners of the soil.

The total national and municipal levy upon land value is even now only one million pounds, or only one-eightieth part of the unearned increment of the last eighteen years alone. If the land had been nationalised with fair purchase at the value of twenty years ago, the unearned increment would by now have gone a long way towards paying for it.

Now, one of the chief arguments employed in advocating the taxation of land values is that it would cheapen land, and it is obvious that it actually has that effect in

the case of *some* land. But the example of New Zealand proves most conclusively that it does not have that effect upon land as a whole.

In Wellington every farthing of the local rates is levied upon land. And this is what the Secretary for Labour in Mr. Seddon's Government wrote in 1904:

"There has been no fair ratio between the rise in wages and the rise in prices. The fact is that there is a third hand in the game besides the employer and the employee, and it is this third man, the non-producing ground landlord of city and suburban property, who alone will rise a winner in the end.

"The chief devourer of the wages of the worker and of the profits of the employer is excessive rent. That an equitable payment for the use of land and dwellings should be made to their owners is, under the present constitution of society, proper and desirable; but a greedy, rack-renting system, which transfers gradually almost the whole earnings of the industrial and commercial classes to the pockets of the non-producer, is indefensible. It partakes of three characters; it is unauthorised taxation by private persons, it is tribute to a conqueror, and ransom of a captive.

"In Wellington the rents have not only increased during the last ten years, but they have acquired an utter disproportion to earnings. It is difficult for a clerk or foreman at £250 a year to get a decent house near the city under £1 10*s.* a week, which means about one-third of his income. A labourer earning (taking wet days, illness, etc.) on an average £1 10*s.* a week must pay at least 10*s.* or 12*s.* a week for a house; he, too, then, finds that a roof over his head costs one-third of his income. This may be accepted as a general rule in the capital city—viz., one third of the income goes to the landlord."

Similarly, Mr. Seddon, the Prime Minister, declared, shortly before his death, in 1906, that "up to the present the labour laws of New Zealand have benefited one class only, and that the landlord class." And this despite a drastic policy of land taxation. In further proof of the fact that the transfer of rates from buildings to land values raises rent, the testimony may be here cited of the head of the Land and Income Tax Department at Wellington. He says: "The exemption of improvements leads to increase of capital value, and increase of unimproved value as surely follows increase of capital value; *there are very rare exceptions to this rule.*" And this, as will presently be shown, is the experience elsewhere.

QUEENSLAND

In Queensland the local rates have been levied on land values since 1890. The advocates of the new system predicted, just as they do here, that it would produce "the gradual extinction of the capital value of freehold land." That prediction has been completely falsified. Indeed, so firmly is the system established that it is now taken for granted, and is regarded as non-contentious by the landlords themselves, although many of them "felt the strain severely, especially during the bad times" (*vide* the Memorandum by Mr. Leslie Gordon Corrie, ex-Mayor of Brisbane, printed in Blue Book Cd. 4750).

Mr. Corrie is a very emphatic and exceptionally well-informed advocate of that system, and his Memorandum is very illuminating. He says that it resulted in "the immediate appreciation of the capital value of existing improvements owing to the sweeping away of so much of the hereditary burden of taxation from this class of property." In other words, the landlords (or at any rate most of them) got back with one hand what they

gave up with the other. And, again, he says: "That the rates raised thus from the land are spent again locally, it is believed largely to the enhancement of the land, doubtless carries with it the acceptance of what would otherwise be far from a popular mode of raising revenue."

He then goes on to say that, although the system has so far met with little objection, "manifestly there is a limit to the burden which will be accepted upon any single class of property." As might have been expected, the landlords are quite willing that all rates should be levied upon land values so long as it does not hurt them, but they are not likely to acquiesce in any extension of the system which would seriously endanger their interests. The example of Queensland is therefore not calculated to recommend it to any one who really desires to abolish private property in land in the home country.

SOUTH AUSTRALIA

In South Australia the unimproved value of land has been taxed for State purposes since 1885. The amount was ½*d.* in the £, and it remains at that figure now after a lapse of nearly thirty years, a further ½*d.* in the £ being levied on estates worth more than £5,000, and an additional tax of 20 per cent. being imposed on absentees. So, evidently, there is no burning desire in that country to tax landlordism to extinction. Mr. Arthur Searcy, the Deputy Commissioner of Taxes at Adelaide, reports that "for years past there has been a gradual closing up of all vacant land round the city, a great deal of which may be attributed to the land tax, more particularly since the application of additional and absentee land taxes in conjunction with the increased rates of income tax imposed at the same time; but much of the movement would have occurred irrespective of taxation,

with the gradual growth and advancement of the State. . . . To show that an all-round taxation is not a dominant factor in regard to values, witness the recent great rise in value of country lands throughout the State with the introduction of improved methods of agriculture, and more especially artificial manures; *the values now being as high or higher than before taxation was introduced.*"

THE FEDERAL LAND TAX IN AUSTRALIA

The evil of great estates in Australia was so serious that the Labour party made the breaking of them up by taxation the chief plank in their programme, and as soon as they got into power they passed an Act which was aimed specially at those great amalgamations. The result seems to be exactly what it was in New Zealand—a decrease in the size of the largest estates, but no serious weakening of the land monopoly, and an increase in the number of people who have a stake in it to defend.

The Second Annual Report of the Commissioner of Land Tax, printed on August 14, 1913, shows that the tax forced £11,500,000 worth of land out of the taxable field in the first year, £9,000,000 worth in the second, and only £2,000,000 worth in the first nine months of the year that has not yet closed. The Commissioner reports that a great part of the reduction in the total assessed value of the great estates is due to the completion of schemes of apportionment of joint owners and families who previously were jointly taxable, and, further, that the persistence of good seasons has made it easy for the landowners to hold the land in spite of the tax, and that, even where the burden was felt, they were willing to pay rather than break up holdings which they have owned for many years and to which they have a sentimental attachment.

NEW YORK

For many years land values have been taxed in New York. Mr. Lawson Purdy, President of the Department of Taxes and Assessments, says that "all real estate is assessed or valued at market value." Land is not taxed on its rent, and exempted if it is unused, as with us; but it is taxed on what it is worth if sold, and, since 1904, the value of land has been separated from the value of buildings. The rate varies, according to local needs, and it is now 1.6140; that is, a piece of land worth $10,000 has to pay $161 40c., whether it is used or not. This is about eight times as much as the undeveloped land tax of our own 1909–10 Budget. Yet it does not appear to have a very marked effect in cheapening land, for nowhere is land so dear as in New York; or in effectively checking land speculation, for that is still a very popular means of "getting rich quick"; or in reducing overcrowding, for there are slums in New York, and many thousands of sunless rooms, such as would not be tolerated in London for a day. The landlords seem, in fact, to thrive in spite of the taxation of land values, and land is so dear that they have to economise the valuable space by building up into the skies.

The impossibility of generally cheapening land by taxation, or of preventing the landlord from reaping a very large share of the unearned increment, is manifest from the Report of Mr. Purdy. He says: "Where values are rising so fast that property is resold within the year for twice the amount of the first sale, it is evidently impossible for the assessments to keep pace. In some parts of the city it would be necessary to assess every three months, in times of rapid increase of value, in order to keep the assessments close to the actual selling price."

The late Mr. Pierpont Morgan was reported to have paid the enormous sum of £200 a square foot for the site of his new offices, and the total value of all the buildings in New York is considerably less than the value of the land they occupy. Evidently something much stronger and more direct than the taxation of land values will have to be done before the New York landlord can be extinguished.

CANADA

And now we come to that wonderful country, Canada, which is cited more frequently than any other by single-taxers as evidence of the virtue of their gospel. For in Canada there are cities which have adopted the single-tax theory so far as their local revenues are concerned. Let us, therefore, see what has happened there.

"Vancouver, the metropolis of the Province of British Columbia, is indeed a city set upon a hill, whose light cannot be hid—a beacon to guide the municipalities of the world into the haven of righteousness in raising public revenues." In these glowing terms was commenced the May–June 1911 issue of the *Single Tax Review* of New York, which was specially devoted to the marvellous growth of Vancouver, due, it was claimed, almost entirely to its fiscal system of raising its revenues from land values and exempting all improvements.

America is noted for the cities which, figuratively speaking, spring up in a night. But none are so marvellous as Vancouver. In 1885 its present site was a dense forest with mammoth cedars and firs towering two and three hundred feet high. To-day there is a city of 180,000 people.

During the spring of 1886 it was reported that the Canadian Pacific Railway would plant its western terminus there. That was the beginning. Streets were

planned, the population rapidly increased, and buildings were put up as fast as the labour and the materials could be got together. Up to 1895 improvements were rated as they are in England. Then for ten years they benefited by a 50 per cent. exemption. For the next four years they were relieved by a 75 per cent. exemption, and in 1910 they were exempted altogether.

We have already seen that the exemption of improvements from taxation has had the effect in New Zealand and Queensland of raising the value of land. Exactly the same thing has taken place in Vancouver, as it was bound to do, and as it would do in England under a similar system.

The single-taxer points to the enormous activity of the building trade in Vancouver, and attributes it to the taxation of land values. But, admitting that it may be partly due to that cause, it is surely asking too much to ask us to believe that it is the chief cause, still less the only cause. No matter what the fiscal system had been, the growth of Vancouver would have been phenomenal, as the new terminus of one of the greatest of all existing railway systems, and in view of the wonderful opening out of that great new country, which has been attracting settlers from all parts of the world. Even under the old system of rating its population nearly trebled in the four years from 1887 to 1891, and it only doubled in the next ten years, although for the second half of that period all improvements were exempted from local rates, to the extent of 50 per cent. of their value. It must also be remembered that in Hastings Townsite, which lay outside the city, and which levied its rates on the old plan, "the building activity," according to the Single Tax Commissioner himself, "kept pace with that of the outer districts of the city."

The following figures enable us to see at a glance the leading features of the marvellous progress of Vancouver.

	Population.	Value of Land.	Value of Improvements.
		$	$
1887	5,000	2,456,000	182,000
1891	13,685	10,477,000	1,501,000
1901	26,113	12,792,000	7,440,000
1906	55,000	38,346,000	16,381,000
1908	66,500	48,281,000	24,405,000
1909		76,881,000	29,572,000
1910	93,700	98,777,000	37,845,000

According to Mr. Francis Neilson, a single-tax M.P., writing in the *Single Tax Review* (March–April 1913), the population has since grown to 175,426, and the value of land to $138,000,000. He does not state the present value of improvements, but, if the same ratio obtains, they are now worth about $53,000,000.

It is obvious that there has been tremendous building activity, but it is also obvious that the activity of the land-speculators is even greater. Their offices are as thick on the ground as public-houses in a seaport, and the tax on land values has no more effect upon them than water on a duck's back. The unearned increment of one year alone was $28,000,000, and their total contribution to the rates was less than $1,600,000. Under such circumstances it is quite plain that the Vancouver system of rating is powerless to abolish landlordism.

But, says the single-taxer, this merely shows that the tax is not heavy enough. Make it 20*s.* in the £, and the whole difficulty would vanish. Of course it would, but there is no chance of it. The landlords are quite willing to be taxed, but they are not willing to be taxed out. They would be more than human if they were.

It must be remembered that 75 per cent. of the artisans themselves are landlords, and sharers of the unearned increment. The assessments of land are notoriously low, even to the extent of being only one-third of the true value, according to Mr. Joseph Fels. And the rate of the tax has remained unaltered since it was first imposed. The city has found its present revenue insufficient for the carrying out of great public improvements, but instead of giving a turn to the taxation screw, by increasing the assessments or by raising the rate, they have actually had to borrow money just as other municipalities do. The reason is that the local opposition is too great to the landlords being taxed to any greater extent than they are now. If Vancouver were under a single-tax Dictatorship the thing could be done. On paper it is quite simple. But as it can only be done with the consent of the electors themselves, the majority of whom are landlords, we find that as a matter of fact it is so difficult as to be practically impossible.

Mr. Taylor, the single-tax Mayor of Vancouver, says that "the landowners receive greater benefits from the single tax than even the builders and building owners themselves." Of course this will not be regarded as a disadvantage by those who see no wrong in private property in land, but it is simply astounding that the Vancouver system should be recommended for adoption here by any man as a means of abolishing private property in land. Whatever other good effects it may have, that is the very last that can be claimed for it.

And now let us take the example of one more Canadian city, the City of Edmonton, which entirely exempts buildings from rates, and taxes land values only. It was incorporated as a city in 1904, when its population was only 7,000. In seven years its population increased

fourfold, and its site was valued at $27,521,000.[1] In 1900 the trustees of the First Presbyterian Church purchased three lots on Jasper Avenue, of a total frontage of 160 feet by 150 feet in depth. They gave $1,200 for the three lots. In 1911 they sold 30 feet of frontage for nearly six times what they gave for the whole site seven years before; they borrowed $80,000 on what was left, for the building of a church; and they have since actually refused an offer of $1,250 a foot for the 130 feet, or more per foot than they gave eleven years before for the whole 160 feet. Another plot was assessed at $8,000 in 1905, and in 1911 it was assessed at $67,460. And, as showing that the same undervaluing of land exists at Edmonton as at Vancouver, a plot which was assessed at $50,000 was sold for $75,000.

The exemption of improvements acts, of course, as a great incentive to industry, and has the same effect as a new invention. But, so long as land is private property, a very large part of the improvement, if not the whole of it, is bound to express itself in land values. And, where the unearned increment grows at such a phenomenal rate as it does in the cases cited, the landlords can afford to snap their fingers at the futile efforts of single-taxers to foster a system of taxing land values only in order to extinguish the private appropriation of

[1] Since writing the above, the City of Edmonton has raised £900,700 by 5 per cent. Sterling Bonds, and it states that the gross assessment of its land alone is now (October 1913) £41,745,612, while the total value of its property which is exempt from taxation is £2,932,148. The extraordinary difference between the value of the property of the land-speculators and that of the land-improvers is worthy of special attention. Further, its forty-one millions' worth of land is only taxed to yield £410,900. Instead of raising the tax on the land it prefers to raise money by borrowing, and this seems to show that, while the landlords of Edmonton are quite willing to pay all the taxes and exempt all the buildings, they are never likely to support a tax that really hurts them. Human nature is much the same in England.

them. If the land were public property everything would be altered. The unearned increment would then come to the right place, the public exchequer.

The present criticism is not directed against a fair and reasonable measure of taxation of land values, nor even against a policy of exempting improvements from rating. For the first is necessary in order to arrive at the true value upon which the land may be equitably and profitably acquired by the community whenever it decides to resume the control of ownership for itself, to whom alone it rightfully belongs. And the second may be established as soon as that public control of land is obtained.

As has been already stated, it is not supposed that exactly the same results would happen in an old country like our own, as have happened in the new countries which have been above referred to. Those results would not be the same, but they would be similar. The only difference would be one of degree, not of kind.

Until the national valuation of land is completed no certain figures are known. But it is not difficult to take hypothetical and typical cases, and to observe the effects of altering the rating system while leaving private property in land untouched.

At present we rate upon the income derived from land and improvements together. As there is no income from unlet land such land is not rated at all. And building land, which is let temporarily for farm or garden purposes, pays rates on a low annual income, instead of on its high capital value. Further, it is treated as agricultural land and pays only half the rates levied upon other property.

Only annual values now appear in the rate-book. The proposal is that the capital value of the land alone

should be rated, and that all improvement values should be ignored.

Let us suppose that the valuation has been completed in a given urban district.

In the centre of the town the value of the land is high by comparison with the buildings on it. As we go towards the suburbs it decreases. In the centre the land, even when fully developed, may be worth more than the buildings. In the suburbs the buildings are worth much more than the land. Besides the fully-developed land there is the under-developed land and the undeveloped land. On the former kind the improvements are worth much less than the land, and on the latter they are non-existent. This varying ratio of land values and improvement values is most important to bear in mind.

In our hypothetical town, a fully-developed site worth £10,000 carries buildings worth £5,000. Another site, worth the same amount, carries buildings worth £10,000. Another £10,000 worth of land carries £15,000 in buildings, and so on, till, in the suburbs, a site worth £10,000 may carry buildings worth £50,000. All these are fully developed. Then there is a valuable site, worth £10,000, which is not put to its best use, and carries poor buildings, worth only £5,000. The land-taxer would make the owner pay as much as if he had much superior buildings on it, and so cause the pulling down of the old fabric and the building of a finer structure more suitable to the site.

Again, there is a site, worth £10,000, which is quite vacant, yielding no income to its owner and no rates to the local authority.

Lastly, there are 100 acres of land, worth £50,000, which is only let for farm purposes, at £2 an acre, and pays half rates on that sum as agricultural land.

TABLE SHOWING A HYPOTHETICAL URBAN AREA, CONTAINING SITES IN DIFFERENT DEGREES OF DEVELOPMENT, AND THE RATES PAYABLE UNDER THE PRESENT SYSTEM AS WELL AS THOSE PAYABLE IF LAND VALUES ALONE WERE RATED.

	Annual Value.		Capital Value.		Land and Buildings Together.		Present Rates at 6s. 8d. in the £.	New Rate to raise the same total on Land alone.	Difference between present Rates and New Rates.		Annual Rent including present Rates.
	Land.	Buildings.	Land.	Buildings.	Annual Value.	Present Rateable Value.			Increases.	Decreases.	
	£	£	£	£	£	£	£	£	£	£	£
A	400	333	10,000	5,000	733	586	195	363	168	..	928
B	400	666	10,000	10,000	1,066	853	284	363	79	..	1,350
C	400	1,000	10,000	15,000	1,400	1,120	373	363	..	10	1,773
D	400	1,332	10,000	20,000	1,732	1,386	462	363	..	99	2,194
E	400	1,666	10,000	25,000	2,066	1,653	551	363	..	188	2,617
F	400	2,000	10,000	30,000	2,400	1,920	640	363	..	277	3,040
G	400	2,333	10,000	35,000	2,733	2,186	729	363	..	366	3,462
H	400	2,664	10,000	40,000	3,064	2,453	818	363	..	455	3,882
I	400	3,000	10,000	45,000	3,400	2,720	906	363	..	543	4,306
J	400	3,333	10,000	50,000	3,733	2,986	995	363	..	632	4,727
K	400	..	10,000	..	400	..	..	363	363	..	—
L	2,000	..	50,000	..	2,000	100	33	1,818	1,785	..	233
M	400	333	10,000	5,000	733	586	195	363	168	..	928
	6,800	18,660	170,000	280,000	25,460	18,549	6,181	6,174	2,563	2,570	29,440

The several kinds of property are represented in the above table. For the sake of convenience fractions are dropped.

First, let us assume that landlords are unable to shift

a land tax to their tenants; an assumption which is contrary to the teachings of Henry George himself (*Progress and Poverty*, Book vi., Section 1), and which is completely disproved by Australian and American experience. In that case the tenants who now pay £6,181 would be entirely relieved of that amount, and it would fall entirely upon their ground landlords. And, as the total capital value of their land is £170,000 if put to its best use, their total income could only be £6,800 if it were all fully developed. Such a flagrant case of robbing Peter to pay Paul could hardly be exceeded by the worst exactions of the landlords themselves in the heyday of their power, and it needs only to be stated to be condemned.

But the truth of the matter is, of course, that the landlords in most cases, although not in all, could shift the burden to their tenants. The relief the tenants expected would not be actualised, and in proportion as their rates were reduced their rents could and would be raised. They would pay no less than they pay now, but the sum total would be differently composed; it being immaterial to them whether they pay (say) £40 as rent, and £20 as rates, or £60 as rent and nothing as rates.

THE APPROXIMATE EFFECT ON TENANTS.

	Present Rent, excluding Rates.	Present Rates.	Total.	New Rent, Landlord paying Rates.
	£	£	£	£
A	733	195	928	928
B	1,066	284	1,350	1,350
C	1,400	373	1,773	1,773
D	1,732	462	2,194	2,194
E	2,066	551	2,617	2,617
F	2,400	640	3,040	3,040
G	2,733	729	3,462	3,462
H	3,064	818	3,882	3,882
I	3,400	906	4,306	4,306
J	3,733	995	4,727	4,727
L	200	33	233	233
M	733	195	928	928

The only check upon the landlords' power to shift the burden would be the effect which the taxation of land values would have in increasing the available supply of land by forcing withheld land into use. To the extent that it did that the above figures would have to be modified. But, although it would have a certain tendency in the direction of lowering some rents (a tendency which is usually very much exaggerated by its advocates), this would be more than counterbalanced by other tendencies which would make for the increasing of land and property values as a whole. The hope that rents would be generally lowered in consequence of the taxation of land values is not encouraged either by a consideration of abstract economic theories or by the observation of the land tax in practice in other countries.

In further reference to the power of landlords to increase rent on account of reductions in rates, the case of the Agricultural Tenants (Rating Relief) Act of 1896 may be cited. That measure was strenuously opposed at the time on the ground that it would really act as a bonus to the landlords although it was ostensibly designed as intended for the farmers. Now, if that criticism was sound, it applies with much greater force to the proposal now under consideration. If the landlords could intercept for themselves the remission of half the rates upon agricultural land, what is there to prevent them from intercepting for themselves the proposed remission of all rates upon both agricultural and building land together?

There remains a further objection to the taxation of land values when put forward as a means, and the only infallible one, of abolishing private property in land. It is favoured by many on account of its supposed drastic character. It appears to them to be an easy way of getting the land or its value without payment. Land

reformers of this type oppose compensation as the condonation of a great injustice inflicted upon the people. They profess to take their stand on high principle. They will not compromise with the evil thing. Yet even they are driven to compromise when they propose, as all of them do, to take only a part of the land values at first, although proclaiming that it would be quite equitable to take them all at once if only they had the power.

Such men always assume that it would be quite easy to keep on turning the taxation screw when once it has been inserted. The experience of Australia and America ought to have taught them better. For, in proportion as landlords are numerous, they are strong. And it cannot be too strongly insisted upon that the very first application of the taxation of land values has the effect of increasing the number of landlords.

The feature of British landlordism that makes the strongest impression on men's minds is the prevalence of great estates, and the avowed object of a land tax is to make the landlords put them on the market so that they may be cut up. In so far as this policy succeeds, it results in a multiplying of landlords. It is true that they are taxed, and their holdings are smaller, but a little landlord has all the instincts of a big one.

Now, it is the desire of the Conservative party to multiply freeholders by State-aided purchase, avowedly in order to strengthen the institution of private property in land by giving more people an interest in its maintenance and defence. The taxation of land values produces exactly the same result. The motives and methods of the two policies are diametrically opposed, but their immediate effects in that important respect are absolutely identical. And as the one is avowedly reactionary, so also is the other.

We have seen how powerful the land system is when the land is held by only a small minority of the people. But it might easily become practically invulnerable if landlords were to become as numerous as they would be under either the Conservative policy or that of the single-taxers. The land monopoly in Ireland is immeasurably stronger now than it was before the Ashbourne and subsequent Land Purchase Acts. Consequently, the forcing of land upon the market would have to be supplemented with a large general power of public land acquisition, or, otherwise, it would only create fresh obstacles to the recovery of its land rights by the community as a whole.

But, says the single-taxer, public ownership does not matter ; let the landlord have the shell of ownership, we will take the kernel, the value, by progressive taxation. Easier said than done. It would be impossible, in the face of a greatly-increased, compact, and solidly organised body of landlords. For the taxation of land values increases the powers that resist change, and, by the redress of the most obvious grievances, reduces those which demand it and work for it.

For these reasons it offers no hope of success. It is as plausible as Protection, and as misleading. It is big with fair-seeming promises which it can never fulfil. It offers a short cut, but it is not even the longest way round, for it doesn't get to the goal at all. It is not a thoroughfare, but a blind alley. Its road would be blocked by an impassable barrier of a new landlordism far more powerful than the old one, and produced by the very process that was designed with the ostensible object of sweeping landlordism away altogether. The motives don't count ; the results do.

Honesty, after all, is the best policy in this as in all

things. The attempt to get either the land or its value without recognising the legitimate interests which the State has allowed to take root and establish themselves is foredoomed to ignominious failure. It is as unfair in its intention as it is likely to prove futile in its operation. It is the broad and easy road that leads to disappointment and destruction.

If ever the nation is to gain possession of its own land it will have to take the straight and narrow path of justice, and act towards landlords as all civilised Governments always do whenever they determine to take over any property which they have previously sanctioned and recognised by their laws.

While, however, the taxation of land values is both inequitable and futile when it is designed as a means of extinguishing private property in land, it would be both just and effective if levied in moderation, for it would tend to prick the inflated values which are now placed upon undeveloped land, and which act as a serious check upon industry. And in giving compensation for land on the basis of the *net* rent received by the landlords, plus prospective values where such exist, the amount of such taxation would have to be taken into consideration. For, obviously, the net income from land is the gross income from it, less, not only all expenses of management, but also all taxation to which it happens to be subject at the time it is taken over by the State.

CHAPTER XVIII

HOW TO NATIONALISE THE LAND

HAVING shown that numerous and serious evils are inherent in the present land system, and having examined the various proposals for mitigating them, all of which proposals are seen to fall far short of what is really needed, we come now to the root remedy, to which all the foregoing arguments and illustrations have pointed; namely, the complete reconstruction of the land system upon a new basis. That basis must be communal ownership instead of private ownership.

The latent sovereignty of the State, which has never been abrogated, must be made a living force, not merely a legal theory which is, for most practical purposes, almost a dead letter. The absolute right of the State to resume possession of the land cannot for a moment be questioned, and the way is made easier by the fact, known to all men, that it is already frequently exercised. No new principle has to be established. No precedent has to be created. All that is needed is to extend the application of an old principle, and the precedents for it are numerous and unmistakeable.

It is not necessary to go so far back as to the time when sovereigns, under the feudal system, treated all the land as their own property, and resumed it at their pleasure. For what was once the prerogative of the sovereign is now the prerogative of the Legislature. The private landlord has never been an absolute owner.

He has never had more than a licence to hold land, and the licence has always been revocable. In the old times it was easily got and easily lost. Everything depended on the caprice of the King.

In modern practice, the power to resume the land has been exercised with less frequency, and with greater consideration, but it is still there. Not arbitrarily, but for good reasons thoroughly debated in Parliament; and not by confiscation, but always with most liberal compensation, the landlord has been reminded again and again that he must surrender the land whenever it is decided by Parliament that it is necessary for him to do so.

If land is needed by the Church of England for a church site, and if it cannot be got by voluntary arrangement, the Church can force the landlord to sell it, under an Act of Parliament which was passed in 1818. No other religious body has that power; but, if it is right for the Established Church to have it, there is no just reason why the same power of compulsory purchase should not be asserted on behalf of other religious denominations, and particularly as all of them need it very much more than the Established Church has ever done.

Take the case of the railways. They need capital and they need land, and they have to obtain parliamentary powers before they can get either. If the enterprise promises well they never have any difficulty in securing capital. Investors are readily found. There is no monopoly of money. If one man won't invest, another will. Capital, moreover, is fluid, and it can be drawn from any part of the world to make a railway in any particular place. Therefore there never has been, and there never will be, any need for Parliament to force a man to lend money to a railway company. But from

the making of the very first public railway, Parliament has always recognised that land stands in a different category from money. Without compulsory powers of acquiring land railways would have been impossible. The landlord has been forced to sell where he was unwilling to sell. His claim to treat the land as his own absolute property has been set aside in every case whenever Parliament was convinced that it was incompatible with public interests. The only right he had was to compensation for dispossession. This has always been religiously respected, and the capital of the railway companies has been swollen by the payment of extravagant compensation that was fair neither to the shareholders, the passengers, the traders, nor the employees. The essential point to notice is that the land itself was taken from him whether he liked it or not.

In matters that are concerned with the national or local administration of the laws, public authorities are in constant need of land. There is not a single public department but needs it for one purpose or another. For manœuvring grounds, shooting ranges, fortifications, dockyards, aviation camps, and lighthouses, land is the first essential, and compulsory powers are obtainable for its acquirement. Sites for public buildings, land for drainage, water, and housing schemes, land for the making of new streets and the widening of old ones, and land for allotments and small holdings, could only be obtained by means of such powers. In fact, so frequently have they to be used, that in the City of London alone there have been over a thousand instances of land being bought by compulsion. And the principle has been extended to the compulsory hiring of land as well.

From all the above examples it is therefore quite clear that there is no injustice in compulsory expropria-

tion. And if it be right to take a part of a man's estate, it would not be less right to take it all on the same terms. If an acre can be taken, why not a county, why not the whole country? The one is as equitable as the other; for equity does not depend upon area, but upon conditions. The nationalisation of all land may therefore be accomplished by the simple extension of a practice of the State with which all men are familiar.

So long ago as 1890, on May 6, the whole of the then Liberal Opposition supported a resolution moved by Mr. R. T. Reid (subsequently Lord Chancellor Loreburn) in the following terms: "That in the opinion of this House, a measure is urgently needed enabling Town Councils and County Councils in England to acquire by agreement or compulsorily, on fair terms and by simple and inexpensive machinery, such land within or adjoining their several districts as may in their judgment be needed for the requirements of the inhabitants"; and the resolution was only defeated by the narrow majority of 16.

Later on in the same year, one of the greatest of British statesmen, Mr. Gladstone, gave it as his opinion that "whenever land is required in the judgment of a competent public authority it should be taken, whether the landlord desire it or not; he is entitled to fair compensation, but he is not entitled to object."

In 1892 the present Lord Chancellor brought in a Bill to enable local authorities to schedule land that they might need in the future, and to empower them to buy it by compulsion within twenty years at the then value, nothing being given for the additional unearned increment that might have accrued in the meantime. This Bill also received the united support of the party which is now (1913) in power.

Local authorities themselves are being convinced by

their own experience that extended powers of land purchase are needed. In June 1900 the Association of Municipal Corporations met at Dublin and unanimously adopted a resolution to that effect. Since then, at the instance of the Corporations of Sheffield and Brighton, the great municipalities have on different occasions adopted similar resolutions.

In 1912, a private Bill, the Public Authorities (Purchase of Land) Bill, was endorsed by the Government at the second-reading stage, and a very large number of public authorities subsequently adopted resolutions affirming their approval of it.

But, it may be said, this is not land nationalisation. That is true, if by land nationalisation is meant the sweeping abolition of all private property in land by one Act of Parliament. The important point is that the ground is being steadily prepared for larger areas of land to be taken out of private hands and put under public ownership. This is the way of evolution in the first stages of the great change. Powerful vested interests are like great fortifications. They are not captured by the first assault. The outer works have to be carried first, and the sapper and miner must be brought into action. Some of the outer works of the citadel of private property in land were carried by the extended application of the right of State resumption, and by the assertion of the right of the State to fix the rent, as in Ireland and Scotland, by the Fair Rent Courts and the Crofters' Commission. The process of disintegration has set in, and the way is easier than it was. The time for heroic measures may not be the immediate present, but it is the not distant future. In the meantime there is much to be done, and it is in the very arena of immediate practical politics, by public authorities being empowered

to break up the landlord system piecemeal. Nearly 200,000 acres of agricultural land have already been brought under public control under the Small Holdings Act. County Councils are gaining experience every day which will be invaluable in the future, the practicability of public landownership on a large scale is being demonstrated, and a strong public opinion is steadily growing which will facilitate its extension.

At present local authorities are strictly limited in their powers of land acquisition. They can only acquire land for specific purposes. They cannot acquire it except for their present needs. They have no general powers of land acquisition such as German municipalities possess. They cannot look ahead and provide for future requirements as they can in the provision of water supplies. All this must be altered. The boundaries of their freedom must be enlarged. If they may acquire land for agricultural small holdings, why should they not be able to acquire it for homesteads, for the benefit of all classes ? If they may buy it for housing schemes, why should not towns have the power to buy the belts of undeveloped land that surround them, and thus control all future building, and secure all the future unearned increment ?

NATIONAL OWNERSHIP : LOCAL ADMINISTRATION

And here it may be well to deal with the view that is often expressed in favour of land municipalisation as against land nationalisation, as if they were mutually antagonistic rather than mutually complementary, as in fact they are. For although local authorities may rightly be entrusted with the administration of their own areas, and the collection of the land revenue from them, the supreme ownership of all land cannot but

be vested in the nation itself. Only by the authority of laws approved by the national Parliament can they acquire land, and only under a national code of regulations should they administer it. As agents for the national owner they should act, not as owners themselves; and they should be assessed for national purposes on the land values which they would collect. For the unit of ownership must be the nation, not the locality. The enormous value of the land in London is largely due to the fact that it has been chosen to be the seat of the national Government, and, even if on that ground alone, the smallest hamlet in a remote country district is entitled to derive some of the benefit.

A CENTRAL LAND AUTHORITY

Experience has shown that the powers which it is now urged should be given to local authorities must also be given to a national authority. For various reasons many local authorities would rarely, if ever, exercise large powers of land acquisition if they had them. Even for such comparatively narrow objects as the buying of land for workmen's houses, or for the creation of allotments and small holdings, many of them have been woefully and notoriously neglectful of their duty. Constituted as so many of them are, an Act for gradually nationalising the land through their agency would remain a dead letter, and might as well not be passed. And, in the very districts where public ownership of land is most necessary, there would be the least chance of establishing it.

Consequently, we need a Central Authority which can and will act where local authorities fail, an authority which will be free from the domination of local territorial interests, and which can be entrusted with the duty of

carrying out a national policy of land resumption. The Crown Lands are already in the hands of such an authority. The Commissioners of Woods and Forests, or the Board of Agriculture, might therefore be the nucleus, as they are the precedent, for a National Land Commission or Land Board, with power to acquire land as a permanent national possession in any part of the country.

Every year great country estates are put into the market, and agents of the National Land Commission, acting *incognito* for obvious reasons. might often secure them on advantageous terms. In this way a large area might be brought under public ownership in a reasonable time without the need for exercising compulsory powers at all. And the machinery for administering the national estates would gradually and naturally grow as the need arose. Moreover, it would always be possible to put such land under the governance of local authorities whenever they signified their willingness to undertake the responsibility.

THE LAND MUST NOT BE RE-SOLD

It is of course assumed that when land is once acquired by the State it is acquired in order to be held, not to be re-sold. It must be as inalienable as a public park. It must be dedicated, like an open space, to the use and enjoyment of the people for ever. There must be no parting with it for the sake of a mess of cash pottage. If it is good in the eyes of those who want to buy it, it must be equally good for the community to keep a tight hold on it.

In our American and Australasian colonies the people entered into a vast national property of incalculable value, and they at once proceeded to divide it up among themselves as the first comers. No greater mistake was

ever made, as they are already beginning to discover. The giving of the land, or a selling which was almost tantamount to giving, was not necessary as an encouragement to colonisation. The grant of it rent-free for a term of years would have achieved the purpose as well, and the evils of land speculation would thereby have been entirely prevented.

And so in Ireland. The credit of the whole of the people has been employed to buy out one set of large landlords, simply in order to set up a multitude of Irish farmers as landlords on their own account. All the financial machinery of a great scheme of land nationalisation has been created, and none of its benefits have been secured. The only real benefit which the purchasing farmers have won is the feeling that they are now secure in the tenure of their farms, but that security could quite as easily have been given to them without giving them the freehold. Moreover, they do not get the fulness of the freehold until they have paid back the whole of the purchase money which the State has advanced on their behalf. In most cases their farms are mortgaged to the full value, and it may be between seventy and eighty years before the mortgage is paid off. Not till the second or the third generation will the farmers be free of the State mortgage, and, when that has been paid off, the probability is that, as always happens, many of them will soon become burdened with mortgages to private money-lenders, who are amongst the hardest of all taskmasters.

The right of the Irish people to deal with the land in that way is not in dispute. But, if the national Government had seen fit to withhold the credit of the other three countries in the United Kingdom for so sectional a purpose, it is equally certain that they would have had

a right to do so. It is to be hoped that the Irish precedent will not be followed in future dealings with the land of England, Scotland, or Wales, but that, when the big landlords are bought out, their place will be taken by the nation itself in its collective capacity.

THE BASIS OF STATE PURCHASE

Before the public purchase of land can be safely and profitably extended it is absolutely essential that the principles of assessing the compensation payable to its present holders must be put on a proper footing. One of the strongest arguments against such purchase has been the fancy compensation which, as a general rule, has been paid in the past. Fortunately there is an easy way of preventing this in the future.

Landlords are entitled to the true value of the land they give up, but to no more than that. And that true value must appear in black and white on the assessment rolls. A landlord has no right to expect more than the sum [1] upon which he is willing to pay rates and taxes. If any special damage is done to him by the taking of a part of his property he is entitled to compensation for that. If, on the other hand, the part which is taken actually benefits the part which is left (as often happens) the compensation may reasonably be reduced by the amount of such betterment. But the 10 per cent. extra for compulsion has no justification either in law or justice. It has crept into land-purchase transactions as a sort of bribe, but it must be relentlessly cut out. The power of compulsion must take the place of the bribes of fancy prices which have been still further swollen by such unwarrantable extras.

The present method of arriving at the amount of compensation payable to expropriated owners is absurdly

[1] *Less the capitalisation of expenses of management and taxation.*

unjust, grotesquely inaccurate, and extravagantly costly. It has been wittily said that there are two kinds of liars ; ordinary liars, and expert witnesses. Certainly the extraordinary differences between different valuations of the same property are enough to cause them to be distrusted, and are calculated to give the impression that the evidence of valuers is very often affected according to the side by which they are engaged. The purchase by the Manchester Ship Canal Company of a hundred acres of land belonging to the Trafford Racecourse Company is a case in point. The expert valuations put in on behalf of the vendors ranged from £670,000 to no less than £1,500,000 ; an extraordinary discrepancy which speaks for itself. The arbitrator showed by his award that he regarded even the lowest of those valuations as 250 per cent. too high, and it is well known that arbitrators do not usually err on the side of awarding too little.

Besides the expense of the land itself the system of Private Bills adds enormously to the costs which are legitimate and necessary. The Lord Mayor of Dublin told the Association of Municipal Corporations that the city of Dublin had had to pay £40,000 in promoting a Bill for the extension of its boundaries ; that a small municipality had to pay £10,000 in promotion expenses for a main drainage scheme which was estimated to cost only £50,000, and that another town, with an annual valuation of only £30,000, had had to pay £16,000 in promotion expenses. The Sheffield Corporation had to pay £20,000 in Parliamentary expenses in connection with a water scheme ten years ago, and the Derby Corporation paid £30,000 in connection with their Waterworks Bill, besides their own Town Clerk's charges. The greater part of all these burdens might be avoided if the public acquisition of land were made as simple as it ought to be.

How necessary it is to establish a proper basis of compensation is also shown by the experience of London in the creation of the Metropolitan Water Board. The arbitration costs alone were nearly £90,000, and, but for the power of taxing them, they would have been higher still. The New River Company put in a claim for £36,863, but it was taxed down to £21,115.

The taking over of the property of the National Telephone Company revealed the same conscienceless disposition to bleed the taxpayer. In one part of their claim alone they asked £3,292,966 for that which was proved to the Court to be worth no more than £2,055,468.

An excellent principle was acted upon by the German Government when they established themselves at Kiautchou in China. At the first sign of public land purchase the value of land goes up with a bound. But Germany arbitrarily, and quite justly, ignored this artificial increment, and paid for the land the value which had naturally arisen before its entry. The increment was due to its own action, and it was only right that it should decline to pay more than the proper price for the land on that account. In the acquisition of land for the new capital of India, at Delhi, the Indian Government announced its intention of similarly protecting the Indian taxpayers from the extortion of those who happened to own the sites which would be required.

THE TAX-AND-BUY PRINCIPLE

But the surest way of getting land at a fair price is to take it at its taxable value, subject to such minor modifications as have already been referred to. The national valuation must be the basis for either taxing land or buying it, at the discretion of the public authorities. If that valuation is not fair it must be made fair. And

nothing will act so powerfully to make it fair as this optional public power of purchase or taxation. No landlord will desire that his property should be valued at more than it is worth, because of the taxes he will have to pay so long as he keeps it; nor that it should be assessed on a low valuation, because of the risk of having it bought for less than it is really worth. As soon as this principle is established it will become perfectly safe to nationalise (or municipalise) as much land as may be considered necessary. For every pound paid there will be a pound's worth of land to show for it.

On April 10, 1907, the House of Commons approved this principle. In 1912 the Government endorsed Mr Harvey's Land Acquisition Bill, which embodies it; and, as has been said, it has since received the imprimatur of a large number of Public Authorities.

Some years ago ex-Lord Chancellor Loreburn was good enough to favour the writer with some valuable notes on this aspect of the land question, and the following is an extract from them:

"Almost all the difficulty and expense (beyond actual price) attendant upon such public land purchase, is due to two causes:

"(1) The cumbrous system of conveyancing with secret deeds of title, and

"(2) The absence of any valuation of lands, etc., for rating purposes, which might dispense with the necessity of a lawsuit each time a public body desires to acquire land compulsorily.

"For these reasons land-reformers ought to urge:

"(1) A system of compulsory registration of title (not of deeds) such as exists in Australia, where land is transferred at the Register Office, at little or no expense, and without the intervention of lawyers.

"The recent Act passed for England is good so far as it goes, but it requires amendment, and it should be made universal and compulsory.

"(2) A system of rating on capital values instead of on supposed annual value, whereby the owner should be at liberty to value his own land, and have to pay rates on that value, while the Local Authority should have the right of buying at that value.

"This would not only secure that some land should not be undervalued (thus unfairly adding to the burden of other landowners), but it should also fix automatically the price at which a Local Authority could buy, and enable them to frame their schemes with almost exact knowledge of what they would have to pay for the land.

"Were these two simple and just reforms obtained, we might expect County Councils and Town Councils to undertake with infinitely more zeal and confidence the duty of coping with the formidable evil of our crowded cities."

On the same occasion the present Lord Chancellor, Lord Haldane, also wrote, "The only right of the individual owner is to the value of the land, as distinguished from a right, capable of being asserted in opposition to the public interest, to the specific thing itself."

"There is a very easy and equitable test," said *The Times* on May 14, 1908, "of the real value conferred by the proximity of the town. Let the rating authority offer to the landlord the price which in its opinion represents the rateable value. If the landlord refuse the offer, then let him be rated upon the annual value of the capital sum which he declines to take."

It is, in fact, impossible to imagine a single sound argument which can be advanced against so reasonable a

proposition as that there should be one standard valuation of land available either for its taxation or its acquisition.

THE METHOD OF STATE PURCHASE

We come now to the crux of the problem, the question of financing the public purchase of land on a large scale, or even the nationalisation of the whole of the land under a single operation. It being decided that the land ought to be made public property, and the price being agreed as the value upon which the landlords are content to pay taxes, the question arises, how can so large a sum of money be raised? At first sight the difficulty seems insuperable, but it vanishes upon examination, as difficulties often do.

A small amount of land could be paid for out of the annual revenues of the State or Local Authorities, but it would be so small that it may be left out of account. A considerable area of land could be bought by means of loans, but it would take too long to nationalise the whole land by such means. For the amount of money which can be raised by loans is strictly limited, and the money market would be seriously affected if an attempt were made to raise very much in that way. Fortunately there is another way by which the land can be acquired without the medium of loans at all, except, possibly, to a very slight extent, and for a special purpose which will be referred to hereafter.

It is obvious that it is impossible to nationalise the land by the payment of cash, for there is not enough cash in the whole country for so huge a transaction. Nevertheless it is quite possible to pay for it with something which is equally good. For consider what it is that landlords now possess. They have the lordship of certain

land, worth so much in the market. By virtue of that lordship they collect an annual rent from a tenant, and can realise the capital value of that rent, or of still greater rental potentialities in the case of under-developed or undeveloped land, whenever they choose to find a buyer. And the sole authority upon which they can either take the annual rent, or realise its capital value, is the possession of a parchment title deed, either actually in existence, or presumed to exist by reason of their unchallenged rights of ownership exercised for a certain term of years.

In an ordinary business company the different owners possess certain bits of ordinary paper, not parchment, specifying the number of the shares they hold, and their denomination, whether preference or ordinary shares, and so on. And they paid for those paper share certificates with certain other bits of paper called cheques. Possessing those paper certificates of ownership, they receive their dividends, which again are paid to them in the form of paper cheques. None of these things are cash, but they are as good as cash.

In the case of land the owner's share certificate is his title deed. Suppose the land to which it refers is worth £1,000, and suppose, further, that he is called upon to surrender the land to a Public Authority, and is given a Government-guaranteed Land Bond, worth £1,000, in exchange for it. And suppose that every landlord were dealt with in the same way. The State would step in as the landlord steps out, and would exercise all the rights of ownership hitherto exercised by him. Henceforth it would receive the rents, and with them it would pay the interest on the Compensation Bonds. Thus the landlords would lose no income to which they were entitled, but only a power of choosing tenants and of determining the use to which land shall be put, a power

to which they are not entitled, and which ought not to be in private hands at all.

Contrast this with the method of paying for land with borrowed money. The Public Authority pays cash for the land it thus acquires. But how does it pay for the cash? Simply by issuing Bonds to the investor. If, therefore, the investor is satisfied with a Public Bond in exchange for the cash he advances, why should not the landlord be satisfied with a Public Bond for the land he sells? The Bond is merely a promise to pay a certain specified interest, and at a given date to redeem it at its full face value. On the security of such promises, made by honest and solvent authorities, many millions of pounds are advanced every year. If, then, the community can buy cash with such promises, why should it not buy land with them? Why invoke the aid of the investor at all? Why not deal direct with the property-owner himself without the intervention of a third party?

Surely a Government-guaranteed Bond is as good as a Bank of England Note. A £5 bank note has no intrinsic value. It is worth £5, only because it is a promise on the part of the National Bank to pay on demand five golden sovereigns for it. It is always worth that sum, no more, and no less. And the Bank of England can legally and safely issue as many notes as it finds necessary so long as it has enough gold in its vaults to meet all possible calls. In the same way either the National Government, or a County Council, or a Town Council, could safely issue as many Land Bonds as it thought necessary so long as they did not exceed the value of the land which they represent, and which would then have become public property.

Timid people are often frightened by the mere mention of the huge figures which would be involved either by

the nationalisation of all land, or by the public acquisition of any large part of it. They forget that the financial soundness of a transaction is not affected by its magnitude. It entirely depends upon the relation that exists between assets and liabilities. What the total market value of the land of the British Isles now is no one can yet say. Those who seek to minimise the amount put it at 3,000 millions sterling, and there are others who say it is worth more than 6,000 millions. The exact figure does not matter, provided that it represents true values, not fictitious values. It would be as easy to acquire it on the basis of the higher figures as upon that of the lower. The Government could issue Bonds to the full amount, whatever it was, and the rent payable to the State would suffice to pay the interest on them, with the exception of such of them, a small percentage of the whole, as represent prospective as distinguished from actual realised values. The interest on that small percentage of the whole issue could be raised in another way, which will be presently explained.

It will be said that the State would be creating a new debt of unprecedented magnitude. But would it not also enter into possession of new assets equally vast? Which of us would hesitate about incurring a new debt of a million pounds, if, at the same time, he took over a new property worth as much? That would be the position of the State under land nationalisation, and it is such that the most nervous-minded need not hesitate about it. For there is no parallel between the present National Debt and the one that would be created by the State assuming the ownership of land, either wholly or only in part.

The present National Debt does not represent tangible property, except to a small extent, but the cost of wars

waged for Imperial defence and extensions. The hundreds of millions which the South African war cost the nation were devoted, not to buying territory, but to asserting our power and sovereignty. They enlarged our over-sea dominions, but they did not add an inch to our national property. They were a dead cost, and the interest on the money which was borrowed for that war, as for all other wars, has to be raised by taxation. Between a debt of that kind and the debt that would be created under land nationalisation there is a great gulf fixed. It is as wide as the difference between darkness and light. For every pound of debt there would be a pound's worth of land to set against it, and the revenue from the new property would pay the interest on the new liability.

It is also necessary to remember that the nation is already under the burden of a great debt to the landlords. As a landless people, they are now under the heavy liability of having to pay an annual rent to the lords of the soil for the bare permission to live in their own country. It is not a corporate debt, but it is a debt none the less on that account. It is a debt from which the great majority of men cannot escape. Here and there a man may get rid of his rental liabilities by buying the freehold, but only the minority are able to do so. This debt of annual rent, moreover, tends ever upwards. It may, therefore, be described as a debt that is annual, interminable, and increasing, and as one that is owed, not by the nation as such, but by the aggregate body of rent-payers in their individual capacity. Land nationalisation would convert this existing debt into a capital sum, terminable, and fixed in amount, and owed collectively, by the whole people, including the present landlords. For while, as ex-owners, they would receive compensation, as tenants of the State they would themselves help to pay it.

The conversion of the perpetual claims, which landlords now possess, into terminable claims, is of the very highest importance. The whole idea of perpetual claims, no matter with what justice they may have been originally created, is utterly indefensible. They are, in fact, the main cause of the continuance of poverty, in spite of the enormous strides which mankind has made in the arts of production, and, so long as they exist, poverty is bound to continue. If, by some great discovery, the production of wealth could suddenly be multiplied tenfold, the poor would still be with us, unless a corresponding improvement were made in the processes of wealth distribution.

The services which men like Caxton, Arkwright, Watt, and Stephenson rendered to humanity were incalculable, and future generations, to the end of time, will benefit by their labours. But in all such cases a limit was put to the period during which they could claim a monopoly in the processes they discovered. It could not have been otherwise. For it is scarcely possible to picture the evils that would have arisen if their descendants had been given the right to draw tribute for ever from all subsequent applications and extensions of the discoveries they had the genius to make. Yet, in the case of land, we recognise to-day the rights of the descendants, or successors in title, of men who made no discovery and rendered no service to mankind, but who simply got themselves established many centuries ago as the legal masters of the one thing that is indispensable to man and unmakeable by him. In the name of common sense, and for the sake of the most elementary justice, claims of that character cannot be allowed to go on for ever.

Under land nationalisation either complete or piecemeal, and whether carried out by a National Authority

or by Local Authorities, the land will be bought for what it is actually worth at the time of the transfer. The debt can never be increased. Even if the Bonds were never redeemed the nation would therefore gain in two ways; first, by having the control of ownership, and second, by being able to apply all the future unearned increment to the public service. But it is very desirable, not merely that the debt should not be increased, but that it should be reduced, and ultimately extinguished altogether. Therefore provision must be made for the extinction of the Bonds.

There are two ways of doing this. They may be extinguished by process of time, or by redemption. In the first case the State would undertake to pay the agreed interest upon them (out of the rents) for a certain definite term of years or lives. If for lives, the period would extend to the end of the second generation. The present landlords would receive the annuities till they die, and their present expectant heirs would receive it thereafter. In strict abstract justice the duty of the State extends no further. Every landlord, and all those dependent upon him, or having rights of succession to him, would be cared for. Their claims would not die out till the end of the second generation. Their descendants, at present unborn, would come into the world with all the rights that the rest of the people had, but with no privileges which the others did not enjoy.

But there are practical difficulties in the way of such a plan, for the compensation would cease much sooner in some cases than in others, and the saleable value of the Annuity Bonds would therefore vary. For this reason it would probably be preferable to issue the Bonds for a term of years rather than of lives.

Now the principle underlying terminable annuities is

already in operation under the leasehold system. We there see that landlords themselves have considered it to be perfectly just to allow to a tenant possession of his own property for a limited term only. Under the oldest building leases the tenant had to surrender the house he had built at the end of twenty-one years, and on no settled estate could a longer period be granted. Until the middle of the last century no lease longer than for forty years could be granted on any of the vast estates of the Church. Leases are longer now, but seventy-five and eighty years are very common periods, and leases for three existing lives have been frequent too.

Applying this principle to the Annuity Land Bonds, it would be quite fair to make them terminable in (say) seventy-five or eighty years. At any rate the period would need to be long enough in order to be just to the expropriated landlords, and short enough in order to be just to the community itself. In the clash of the two interests there need be no fear that the former would suffer. The danger is the other way. But the nation could well afford to be generous in order to achieve its purpose with a minimum of friction and resistance.

Such a plan would be equivalent to the giving of a financial notice-to-quit, so long ahead of it being acted upon that there would be no hardship in it except of an insubstantial and sentimental kind. It may be said, however, that the landlord has a perpetuity now, and an annuity is not an equivalent. That objection has been met in advance by the contention that perpetual claims have no foundation in justice. There is no need to give an exact equivalent. The landlords must lose something if the nation is to gain anything. They must lose their power over the land itself at the very beginning of a scheme of land nationalisation, and their profits of owner-

ship must also cease at the end of a reasonable length of time, and, seeing how they themselves have applied the principle of terminable ownership in the case of the property of their own leasehold tenants, they should be the last persons in the world to object to it being applied to their own tenancy (not ownership) of the land itself.

But, besides the method of terminating the Bonds by the lapse of time, they should be terminable by redemption at the option of the State. They could at any time be bought up at their current market value, and it might be well to apply a part of the future unearned increment, which is as certain as the sunrise, to this object. This would be a good investment of such funds, for in proportion to the reduction of the capital debt there would be a corresponding reduction in the annual interest payable, and the final extinction of the whole of the Bonds might thus be materially hastened. While, however, the unearned increment might advantageously be so applied, at least in part, it is necessary to emphasise the fact that the success of the scheme does not depend upon it. Even if land values were quite stationary, they would practically pay the annual interest, and the lapse of time would of itself extinguish the debt. But with an improved land system, and the continuous growth of the population, the unearned increment would be a certainty.

COMPENSATION FOR PROSPECTIVE VALUES

In the case of most land the Compensation Bonds would represent the simple capitalisation of the present *net* rent. But, in the case of land near growing towns, they would represent this and something more. Where land has a prospective value the actual rent received would not be sufficient to pay interest on the Bonds.

How then is the deficiency to be made good? For answer, let us see what happens now.

A man buys a piece of land for £1,000, (say) 4 acres in extent. It is near a town, and is likely to be wanted for building purposes in the near future. Meanwhile it is let for grazing or market-garden purposes at a rent of only £3 an acre. The speculator withdraws the purchase money from an investment which is yielding him 4 per cent., or £40 per annum. From his new investment he receives only £12. He is content to forego £28 per annum in the present because he expects to sell the land at a considerable profit later on. In ten years he will have lost £280 in income, but if he sells the land for £1,300 he will have made good his loss. Now, if the State acquires that land at the beginning for £1,000, it also would find that its present income would fall short of its annual payments, but the difference would be made up when the land came to be developed. If, therefore, it is safe and profitable for an individual to buy such land, it would be equally profitable for the State to do so. The present deficiency would only be temporary, and it would be justifiable to incur it for the sake of the future benefits. It is a speculation in which there is no real risk.

The interest on the Bonds that represent prospective values would, therefore, have to be paid out of taxation for a time, probably only a few years; or it might be raised by the issue of 3⅓ per cent. Loan Bonds each year, repayable when the increment had actually accrued. In that case the only sum that would have to be found out of taxation would be the interest on such special Bonds. If the total amount of the prospective values were (say) £30,000,000, an annual loan of £1,000,000 would be necessary, and the interest on this would only be £33,333. In the second year the Loan Bonds would amount to

£2,000,000, and the interest £66,666, and so on. But every year, as land was developed, the prospective values which had been bought would be actualised, and would be applied to the extinction of the loans which had been raised to cover the temporary deficiency.

An objection may be made that the issue of so vast an amount in Annuity Bonds would depreciate their value. Why should it? The interest on them would be absolutely guaranteed by the State. They would be backed by the greatest of all securities, the land itself. The money that is now invested in land would then be invested in the Bonds which represent land. They would represent a great revenue-yielding property. What better investment could a man have? The income from them would be as safe as the rent of land ever was, and it would be collected with less trouble, difficulty, and expense. And if a man wanted to realise their capital value he could do so with greater ease and certainty than a landlord can raise money now by the mortgaging or sale of his estate.

Without injustice the land may, therefore, be nationalised, either gradually or completely, and either by the agency of a National Authority or of Local Authorities. It is not a Utopia, good in theory but incapable of realisation. It is practical politics as soon as the people decide that it shall be carried out. It offers no real difficulty, and it is the only way by which the natural resources of the country can be made to subserve the highest interests of the whole community, and by which every man can be secured in his rights as a part proprietor of his native country. And it is, moreover, the line of least resistance and maximum advantage.

CHAPTER XIX

ADVANTAGES OF LAND NATIONALISATION

WE have seen how private property in land has operated to enrich the few at the expense of the many, how it has hindered production and limited the employment of labour, how it has depopulated some parts of the country and caused overcrowding in others, how it has handicapped the making of public improvements, how it has put the sport of the rich before the livelihood of the poor, and how it has interfered with the liberty of the people.

We have now to see that all these evils would be swept away by a system of public ownership of land, and that, while its full benefits could only be achieved by the complete establishment of such a system, and after the extinction of the Annuity Compensation Bonds, yet very substantial advantages would result at once, and would increase as the system was extended.

ACCESS TO LAND

In the first place, the equal right of every man to have access to land would be established. It would be a right which must be granted by a responsible Public Authority, not a favour which may be withheld by an irresponsible private individual. A man's opinions on political or religious questions would not affect his chance of getting land, as they often do now. This alone would give freedom where now there is serfdom. According to his require-

ments the land would be open to him. The right of one man to a small holding, whether for agriculture or any other purpose, would come before the right of another man to monopolise a large holding.

There would be holdings of all sizes, and there is room for them all. But the right of an artisan to a garden allotment, or to a site for his home, would not be barred by the claim of a rich man to withhold land for his private park or for speculative purposes. The agricultural labourer's right to a small farm would come before the right of the man who wants to have hundreds of acres as a grazing farm, employing little labour, but reaping a considerable profit out of the very smallness of his wages bill. The right of the Crofter would come before the right of the deer-forest sportsman; and that of the actual cultivator before the right of the game-preserver everywhere. For the land would be governed upon new principles, and the aim would be the establishment upon it of the greatest possible number of full-breathed, happy human beings.

HOME COLONISATION

The colonisation of the homeland would afford many openings for labour that are now non-existent, and the streams of emigration that are now draining the country of some of its best bone and sinew would be lessened. For many men are now practically forced to leave their native shores by the absence of opportunities which are abundant enough but are artificially closed to them. They take their brain and brawn to other countries, where the poorest man has a chance of securing the use of land. Our country can ill afford to lose them, for they are the pick of the countryside. Every inducement should be offered to them to remain in the land that gave them

birth, and this can and must be done when the land is owned by the community.

The capabilities of British soil have never been tested except on a small scale. And the market for its produce is close at hand. There is no real need for our land-workers to go thousands of miles across the sea to produce beef and mutton and corn to be sent back to the home markets, until our own resources are exhausted. A certain amount of emigration there is bound to be, for the lure of other lands is strong, and many of the young and enterprising will always be drawn by it. Under natural conditions it is a healthy movement of population. It is for the good of other countries, and, within limits, not harmful to our own. But there are waste places within our own islands that ought to be more closely settled, and, if they are thrown open for occupation, it cannot be doubted that they would absorb a large part of the population that is smitten with land-hunger, and at present has no means of satisfying it except by emigration.

SECURITY OF TENURE

One of the greatest benefits of land nationalisation is that every man would have security of tenure. So long as he fulfilled the proper conditions of his tenancy he would never be turned out, unless, of course, the land were wanted for public purposes, or for the re-adjustment of areas. There would be no hardship in that. He would receive ample notice, and liberal compensation for disturbance, or for his own improvements. Absolute fixity of tenure he could not reasonably expect. Absolute fixity of tenure is not now possessed by any man. The freeholder himself can be expropriated when it is necessary, and a State tenant could not expect to be installed

as an immovable. But he would be practically as secure as a freeholder now is, he would be absolutely safe from capricious eviction, and he would be generously treated, if, for public reasons, it were necessary to give him notice.

It is often claimed on behalf of the freehold system that it enables a home to be kept in the possession of the same family for generation after generation. But this advantage has only been enjoyed by the very few. There is no reason why it should not be enjoyed by tenants of the State. For it is a pleasant thing to be able to feel that the home, with all its endearing associations, may be handed down from father to son. Other things being equal, there would be no difficulty in allowing continuity of tenancy in the same family so long as the proper annual value of the land were paid, and the other conditions were observed. With this proviso, the preferential claim of a son to succeed his father in the family home could very well be recognised. And as, in the course of time, the rent of the land would take the place of most other taxation, the integrity of the home would be more easily preserved than it is now.

For even the possessor of an unencumbered freehold, although he has to pay no rent, has to pay certain rates and taxes. They are the first charge upon his property, and they must imperatively be paid. In addition to them the ordinary tenant has now to pay rent. But, under land nationalisation, a State tenant would ultimately have only one charge to meet, not two, exactly as the unencumbered freeholder has now. Consequently there would be no difficulty in fulfilling the conditions which would be necessary to secure the desired continuity of tenancy by members of the same family.

THE MAGIC OF PROPERTY IN IMPROVEMENTS

Again, on behalf of the freehold system, the celebrated saying of Arthur Young is often quoted, "The magic of ownership turns sand to gold." If a man owns land he has every incentive to improve it, for the whole value of the improvement is his property. No landlord can raise his rent on that account, or turn him out and confiscate the result of his labours. But the ownership of the land is only an incident. It is not the essential condition. Under private landlordism a tenant's improvements never have been safe, and therefore they have always been discouraged. The evil of such an arrangement is not so much the actual confiscation of improvements, great as that evil is, but the prevention of them altogether.

Now, the security of property in his improvements, which is now enjoyed only by a freeholder, is a very precious thing, and it is absolutely essential to any land system that professes to be a just one. But it is quite unnecessary to give a man a freehold in order to ensure that he shall enjoy his own improvements.

In one of the charming *Essays of Elia*, Charles Lamb tells a fable of the discovery of roast pork. A Chinese swineherd, returning from the woods, found that in his absence his hut had been burned down, and a litter of pigs had been burned with it. Feeling among the embers, he touched one of the pigs, and put his fingers to his mouth to cool them. That, said the Chinese fable, was how mankind discovered roast pig, and, thereafter, the people used to burn their houses down with the pigs inside. Later on they discovered that roast pig was obtainable without burning their houses down.

Similarly, it is not necessary for a nation to hand over its great inheritance to individual landlords in order to

give men the right to own what they create. Ownership of his improvements can be secured to every man by simpler and juster means. It should be the *sine qua non* of every State tenancy, and it may be safely predicted that this alone would give such an incalculable impetus to industry that the production of wealth would be enormously increased. And the elimination of the private landlord would operate further to ensure a more equitable distribution of that wealth than there ever has been before.

Instead, therefore, of the inestimable blessings of secure tenure and the ownership of improvements being enjoyed only by a few lucky freeholders, they would be within the reach of all men. Not the payment of the full capital value of the land, which only a few can afford, but the payment of a fair annual rent, which all men can afford, would be the only condition. And that rent would come back to the people again in public services.

FAIR RENTS

The rent would therefore be fixed according to the value of land. A good tenant would pay no more because of his industry, a bad tenant would pay no less because of his neglect. But, naturally, it cannot be a fixed rent. For a fixed rent might be so high that it would be unfair to the tenant, or it might be so low that it would be unfair to the nation. Consequently it must be revisable at stated periods. In that way, if land values fall the tenant will pay less, if they rise it will be only reasonable that he should pay more. But it would always be wise for the State to err on the side of accepting too little, rather than on the side of exacting too much. For the prosperity of the State depends upon the prosperity of the individuals composing it, and a rack-rent

does a harm to the individual, and consequently to the State itself, greater than the extra sum that can be drawn into the State coffers by such means.

For this reason it would be well for the determination of the rent not to be left to the discretion of those who have to collect it. For, as collectors of revenue, they would be interested in collecting much rather than little, even as landlords now are, though to a less extent than they are. And, as it has been found necessary in Ireland and Scotland to entrust the fixing of rents to impartial tribunals, called Rent Courts, it would be well to extend the same system to all parts of the country, as a preliminary to land nationalisation and as a part of it.

THE SPENDING OF THE RENT

The advocate of land nationalisation is frequently confronted with the statement that, if rent has to be paid, it does not matter whether it is paid to a private landlord or to a public authority. Extraordinary as it may seem, this view is widely held by unthinking men, whose bias in favour of the existing system is so strong that it blinds them to the most obvious facts. It should require no argument to demonstrate that it is better that rent should be paid to the State, and be devoted to defraying the necessary expenses of government, than that it should be paid to private landlords who employ it in the satisfaction of their private desires, leaving the Government without revenue except such as it raises by taxation.

When a landowner presents land to a town for a public park it is universally regarded as a good thing. If he were also to present all the building land round the park, his generosity would be acclaimed by all. If, by an impossible and inconceivable act of supreme altruism, all the landlords were to offer to surrender their posses-

sions to the State, not a man from one end of the country to the other would counsel that so magnificent an offer should be refused. It would be plain to all that the nationalisation of land by such voluntary surrender would provide the State with an enormous revenue, and that taxation could be correspondingly reduced. Not a voice would be raised urging that the gift should be declined on the ground that the State would make a bad landlord. The advantages would be so obvious that every critic of public landownership would be silenced.

Now, land nationalisation by purchase would achieve exactly the same end, and secure exactly the same benefits. The end would take longer to reach, and the full benefits would not at once be obtained, but they would all be won in time. The State already possesses a considerable property in its Crown lands, and derives a considerable revenue from them. If the State were without that revenue the present burdens of taxation would be proportionately heavier. The possession of the Crown lands is therefore a benefit to the whole nation. The rents of those lands reduce taxation, but if they belonged to private individuals they would not. If, then, it is a good thing for the State to possess the very limited area of the Crown lands, would it not be a still better thing if it possessed the entire country? There can be but one answer to such a question.

Again, there are a few towns which possess valuable estates, and the local rates are thereby lower than they would otherwise need to be. Every ratepayer gains by the fact that those lands are public rather than private property. And it is clear to the meanest intelligence that, if the entire area of the town were also public property, the gain would be very much greater. If, therefore, it is a good thing for a town to conserve the land it has,

would it not be a good thing for it to add to its corporate estate by acquiring more? That this could be done quite equitably, easily, and safely, has already been shown.

THE RELIEF OF TAXATION

The stoutest critics of land nationalisation are generally the most vehement in their complaints of the weight of taxation. Yet the reform which they resist would do more than anything else to remove the grievance of which they complain. For the expenses of government cannot be materially reduced by mere economy in administration, even though it be carried to the extreme of cheeseparing miserliness. Those expenses tend ever upward by reason of the growth of irresistible demands that the State (or the municipality) shall undertake duties which have hitherto been neglected.

Old-age pensions, national insurance, improved education, and kindred objects, are all necessary and very costly. The biggest expense of all, the cost of preparation for the possibilities of war, will, doubtless, be enormously reduced as soon as the nations are brought to see how easily they can be avoided by their agreeing, as civilised individuals already do, to settle their disputes by arbitration rather than by the stupid and wickedly barbarous method of fighting. But, even then, it is probable that the money which is now raised for such useless and unproductive purposes will be devoted to more beneficial public objects, and the total amount of taxation may not be materially lessened. Consequently, the real hope of relief for the taxpayer lies in the direction of securing revenue that will be independent of taxation. Such a revenue lies to our hand in the ever-growing value of land, and, under land nationalisation, the whole of it would be devoted to the public service.

MUNICIPAL OWNERSHIP IN GREAT BRITAIN

At the present time there is not a single local community in the British Isles which possesses enough land to enable it to dispense with taxes upon buildings. In Germany there are hundreds of such places, as will presently be shown. But, even in England, the existing cases of public ownership are sufficiently numerous to demonstrate the substantial benefits of the system, and afford strong arguments in support of its extension.

The City of London has an income of over £150,000 from its corporate estates. It has spent over £2,500,000 on the City bridges, every farthing of which was defrayed out of the income of that property. Tower Bridge cost nearly a million pounds, and did not cost the ratepayers a penny. The new St. Paul's Bridge is to cost £2,000,000, and no part of that enormous outlay will fall upon the ratepayers. Surely the lesson of this is as plain as anything can be that the true way of relieving the ratepayers is by the widely extended establishment of a system of public property in land.

Liverpool has a very valuable estate. In 1635 Lord Molyneux purchased the lordship of Liverpool for £450, and later on the Corporation got a lease of 1,000 acres for 999 years, at a fixed rental of £30. In 1837 that property was worth £3,000,000. When giving evidence before the Select Committee of the House of Commons on Town Holdings in 1888, the late Sir A. B. Forwood stated that "the falling in of the leases fifty-three years later (that being the average unexpired term) would give the ratepayers of Liverpool a property the fee-simple of which was twelve and a half millions, and which would absolutely pay all the rates of the town." But the City Fathers have established a system of lenient leasing

which deprives the ratepayers of the greater part of the benefits they ought to enjoy, although, even so, the city exchequer now benefits by about £100,000 a year.

Newcastle-on-Tyne bought some land at Walker, a little more than a hundred years ago, for £12,000. To-day that land is worth £12,000 per annum.

On the other hand, Glasgow sold some of its land about the same time for 2*s.* 8*d.* per yard. When the present Municipal Buildings were decided upon, the City Corporation were compelled to buy back a part of that same land, and it cost them no less than £35 10*s.* a yard, or a total of £175,000, for the mere acquisition of the site. All this might have been saved but for the folly of a previous generation in selling public property.

Bristol derives £21,000 from its estate, Nottingham and Hull over £14,000, Doncaster £12,000, chiefly from its racecourse, Bath £10,500, and so on in rapidly diminishing amounts.

The burgesses of Preston obtained certain lands from King John at a fixed rent, and they have had the good sense to keep them. That land has been of great value to the town for parks, electricity works, destructors, and other public uses, and it has acted as a powerful check upon land speculation.

The Border town of Selkirk sent many men to the battle of Flodden Field, and the King of Scotland recognised its patriotic self-sacrifice by granting 600 acres of land to the town for ever. It is town-land to-day, and every one realises the advantage which the town enjoys by possessing it. If Kings had generally made their grants to townships instead of to their favourite courtiers the condition of the people would be vastly different from what it is.

The little town of Beccles, in Suffolk, enjoys the pos-

session of 958 acres which were granted by the Abbot of Bury St. Edmunds, and for a long time it enjoyed immunity from local taxation in consequence. Even now the rent from its estate pays the greater part of its local expenses. And the town of Penryn, in Cornwall, is also the happy possessor of an estate which makes a general district rate unnecessary.

THE EXAMPLE OF GERMANY

"A town is prosperous," wrote Goethe in 1797, "through the land which it possesses more than through any other consideration; the best token of good administration is that a town is going on buying land." German towns and communes have much wider powers of land purchase than our own towns have, and many of them do not hesitate to use them. All the local Councils in Prussia have been twice circularised by the Prussian Government, urging them to buy land on the ground that "it is a good thing for a town to be a large landowner." They are not limited, as British towns are, to buying land for special purposes, but can buy it because of its general advantages when in public possession.

Under the ancient German law all land was under the ultimate ownership of the Mark or village community, and the German people have managed to preserve their old system of common ownership over considerable areas, particularly in the south and west.

In 1895 a Government Report was issued which revealed the following interesting facts as to the common lands in Germany:

1,104,087 acres of undivided meadowland.
3,325,400 acres of communal forest-land.
660,772 acres of cultivated fields and lotted meadows.

The undivided meadowland was used by 429,468 holders in 12,492 districts.

The forest-land was used by the inhabitants of 12,386 districts.

The cultivated fields and lotted meadows are enjoyed by 382,833 families of 8,560 districts.

In Bavaria, in 1898, the number of districts which had no need to levy rates was 526, because of their public lands.

In Würtemberg nine-tenths of all the districts had large areas of common land.

In Baden there were 121 parishes which were absolutely free of rates and taxes for the same reason.

Herr Adolf Damaschke, the leading spirit of the German land-reformers, made an inquiry of the same kind, in 1892, and published the results.

Klingenberg, in Unterfranken, pays all local expenses out of its own property, and each burgher receives a cash surplus of 300 marks, besides timber and firewood. In Dornstetten each burgher receives eighty marks.

The Burgomaster of Treis, on the Moselle, wrote: "The Burgomastery of Treis consists of an area of 25,000 acres. Of these more than 12,500 acres belong to the parishes. All the local needs are met from the common purse. Then each burgher receives his firing on payment of half or one-third its value, and 25 to 30 acres of cultivable land for his lifetime. On this public land the class without means finds work and support through almost the whole year. As the parish only takes from the produce of its possessions as much as it wants for its common needs, the labourer gets almost all the produce of his toil. Such are the circumstances of almost all the lower Moselle."

Dr. W. Kobelt writes from Schwanheim, on the Maine

(Hesse-Nassau): "In the region of Wiesbaden the number of districts which levy no local rates and taxes, or only very low ones, is so large that this arrangement seems to us the normal one."

It is enough to make the British ratepayer's mouth water to read of place after place where industry is exempt from all local burdens, and of a still greater number of districts where they are so low as to be negligible.

Freudenstadt (Würtemberg) consists of about 1,300 households and possesses about 6,000 acres of wood and 32½ acres of meadow. The revenue is thus spent: £5,300 for the local taxes, £75 for common needs, £1,650 divided among the burghers.

Gernsheim (Hesse), a place with 110 households, owns 1,845 acres of wood, 245 acres of meadow, and 1,819½ acres of cultivable land. The revenue is thus divided—£1,145 for local taxes, £2,661 for division.

Sigmaringen (Hohenzollern), a place of about 200 households, has 1,050 acres of wood and 1,650 acres of meadow and cultivable land. The current local taxes are covered from the revenue, £63 are given for common purposes, £133 are devoted to paying the State taxes of the burghers, and 1,700 cubic metres of firewood are divided among them.

Philippsburg (Baden), with 2,400 inhabitants, has 1,017½ acres of wood and 1,285 acres of meadow and cultivated fields.

On the other side of the form of inquiry the Burgomaster made the following instructive note: "Beyond the above-named duty in connection with the public land no taxes are raised here, but all—local rates, State taxes, river and weir dues—is covered by the return from the common property and common undertakings. The total amounts to from £2,350 to £2,450 a year.

"Note, in addition, that the common property of the burghers is a great boon because it preserves individuals from absolute destitution, gives families the opportunity of finding scope for their powers of work and for finding the necessaries of life, for which otherwise the means would be lacking."

Görlitz (Silesia) takes the most favourable place of all German towns of over 50,000 inhabitants with regard to local rates and taxes. The total local rates for each inhabitant came in 1890–1 to 8 marks, 35 pfennigs, in 1891–2 to 8 marks 2 pfennigs, in 1892–3 to 7 marks 28 pfennigs.

The reason is that this town has a landed property of 77,127½ acres, from which in 1892 £33,028 went to the common chest.

But, besides the revenue which so many German towns derive from their own land, its public possession has made it accessible to all classes, and the Burgomasters, again and again, were able to state in their reports, "There are no poor." For every man can obtain the use of land, establish his home on it, and produce the bulk of his own food upon it. And no man need ever be out of work.

In national territory, also, Germany compares very favourably with our own country. The total area of British Crown lands is a little over 300,000 acres, but Prussian Crown lands include 1,050 estates, amounting to 8,500,000 acres, besides 73,000 parcels of land, totalling another 132,500 acres.

PUBLIC IMPROVEMENTS

Many necessary public improvements are opposed and delayed because of their costliness, which is largely the result of private property in land, and because the expense of carrying them out can only be met by in-

creasing the local taxes, which are already burdensome. If a town were owner of the land the expense would be much less, and it would fall upon the land itself. For there would be no ownership interests to acquire, and the expenditure would be equivalent to money spent in the development of an estate, the profits from which would be set on the other side of the account. Every wisely-planned improvement would then benefit the town instead of a number of private owners.

When private land is acquired the owner has to be compensated for the loss of present or prospective tenants, and the tenants he loses simply transfer themselves to other private land; so that what one landlord loses another one gains. The community has to pay for the loss, and gets no part of the gain. But if the whole area belonged to the same public authority the gain in one place would balance the loss in another. For the rent-producers would simply be moved to another part of the same estate.

It is obvious, therefore, that great clearance and re-construction schemes would be enormously cheapened under public ownership. Again, town planning would be greatly facilitated and improved, for a town could afford to be more liberal when dealing with its own land than it can when dealing with the land of private owners. A generous amount of space could easily be allowed for each house, so that every home could have a good garden. And larger public open spaces would be secured, the only cost being practically the cost of laying them out and maintaining them. By a proper allowance of land for home gardens and open spaces, towns might, in fact, become as healthy as the best of the country now is, and the consequent improvement in the physique and the happiness of the people would be an ample justifi-

cation for the establishment of public ownership in land, even if no other good resulted.

It may be well to refer here to other cases of cities and towns owning land besides the British and German examples already given.

FURTHER EXAMPLES OF MUNICIPAL OWNERSHIP

New York owns the docks and a large part of the water front of the city. Enormous sums of money are annually paid in rentals for some of these docks, which are leased by the city to the highest bidders. For more than one of the docks on the North River used by the great ocean steamship companies the city receives $50,000 a year rent, and such rentals form one of the most important sources of revenue of the municipality. Brooklyn, on the other hand, does not own any of her water front, although it has an extent of nearly twenty miles. New York has adopted the policy of purchasing water-front property as a method of self-protection. The former owners of the property had formed a sort of ring or trust, and were putting up prices in a way that threatened to drive the ocean commerce of New York to Boston or Philadelphia. It was therefore decided that the city should take, under the right of eminent domain, enough of the water-front property to destroy the power of the private owners to drive away the city's commerce. Since that time there never has been a serious complaint against this policy, and the city will doubtless retain the docks in perpetuity. The title to some of this water-front property, especially that used for ferry purposes, runs back to grants from James II., after whom, when Duke of York, the city was named.

In 1854, the Corporation of Durban was endowed by the Natal Government with a grant of 6,000 acres of

land, and the city has derived great and increasing advantages from it ever since.

The Swedish town of Orsa is entirely rate-free because of its public land. The town of Zampen, on the Zuyder Zee, raises all its municipal funds in the same way.

Andorra, on the borders of Catalonia, raises, from the letting of public land, and from the royalties on its minerals, a sufficient sum to free its 15,000 inhabitants from all taxation.

The little town of Rotorura, in New Zealand, is entirely built on State land, and it is one of the most attractive and prosperous places, for its size, in that country.

When the power of the Mahdi was broken at the battle of Omdurman the Egyptian Government took in hand the re-planning of Khartoum, the capital of the Soudan. It was laid out on a metropolitan scale, the entire area being under one control. It was designed in its entirety, and equipped with all its public buildings in a year, by the Royal Engineers. Such a magnificent result could never have been achieved if there had first been a host of private interests to overcome.

The headquarters of the Government of India is to be removed from Calcutta to Delhi, and the entire site for the new capital has been acquired as permanent State property. The Government also acted upon the excellent principle of eliminating from the purchase price the increment which was due solely to its own decision.

And, finally, the young Australian Commonwealth, in its plans for the foundation of Canberra, the new Federal Capital, adopted the wise policy of preserving the entire site of not less than 100 square miles as permanent and inalienable public property. Under State ownership Canberra should become a model for the whole world. For the town planning of it will not be hampered

by vested interests, the land-speculator will be an unknown quantity, the whole value of the land will be public revenue, and local rates will be for ever unnecessary. If the Australian States had dealt with their vast natural resources on the same statesmanlike principles from the beginning, there would be no land problem there to-day, no State debts, no rates or taxes, and no need to tax land values, for all land values would be its own property.

But, when land nationalisation is proposed, it is often said, " Yes, it is very good in theory, and if we were starting a new country it would be wisest to adopt it ; but we are an old country, and the thing is impossible." It must, of course, be admitted that it is more difficult to establish it in an old country than in a new one, although, as has already been demonstrated, the difficulty is more apparent than real. But the benefits of such a system would be as great in an old country as in a new one, and the need for them is greater. For the worst evils of private property in land do not arise when the population is small in proportion to the area it occupies. As time goes on they intensify, and the sooner we establish in our towns and villages the system that prevails at Canberra the better it will be for the whole country.

EXEMPTION OF IMPROVEMENTS

So long as a man keeps land unimproved he is exempt from rates. As soon as he puts up a building upon it he is taxed. Thus the withholding of land, which is a bad thing, is encouraged, and the improvement of it, which is a good thing, is discouraged. A system like that is about as bad as it can be, yet it has generally been accepted as a matter of course, and only in recent years has it been protested against. We have seen that a

different rating system has been adopted in Australia, New Zealand, and Canada. But we have also seen that the exemption of improvements from rates has had the effect of increasing the value of land. While, therefore, it is a good thing for a man to know that he will not be taxed more for a £10,000 building than for a £5,000 building, he finds that the rent of the land has gone up, if he is a tenant, or its price, if he desires to buy it.

For rating reform is of the nature of a new discovery or a new process of production, and it is bound to reflect itself in land values. A great part of the benefit, if not the whole of it, that ought to accrue to the actual improver of land, is appropriated by the owner of land. The taxation of land values instead of improvement values does not touch the heart of the problem, for it leaves the landlord in possession of all his present power of raising rent or demanding a higher price, and it is seriously open to question if, in the majority of cases, the benefit reaches the land-improver at all. For, if a reduction in rates adds to the rent or the capital value of land (and all known experience, together with economic theory, demonstrates that it does), the benefit of rating reform, while leaving private property in land intact, will prove, if tried in England, to be as delusive as it is superficially attractive.

But it is quite otherwise when land is public property. In hundreds of cases which have been already cited, all improvements are absolutely exempt from rates. But, as the land itself belongs to the community, the whole of the people, not private landlords, get the benefit. This, therefore, seems to show that the only effective means of securing the undoubtedly great advantages of relieving industry of its present burdens, is by establishing the communal ownership of land.

RURAL PROBLEMS

The revival of country life could also be accomplished if the land belonged to the people. Every man could secure a holding of one kind or another. Small holdings would be as numerous as the demand for them required, and with every labourer's cottage ample garden space could be provided. Improved conditions of tenure, already explained, could not fail to greatly increase the productivity of farm lands, and the nation would gain by being decreasingly dependent upon foreign countries for its food supplies.

Much good also is to be expected from the development of co-operative principles and methods in buying needs, implements, and manures, and in the marketing of the produce. For public landownership would make the re-organisation of the great agricultural industry, which is so extremely necessary, easier than it now is. Agricultural education would be improved and extended, light railways could be constructed, the waterways could be nationalised and developed, and railway rates could be revised (either by railway nationalisation, or by the conditions of the leases under which all railway companies would be tenants of the State) so as, practically, to bring the producer in the country nearer to the consumer in the town.

The social side of country life, too, is scarcely less important than the economic side. With increasing education, and as the people realise their power as joint-proprietors of their native country, the village might become as attractive as the town now is, though not in the same way. Those who want big crowds, and the glamour of bright lights and constant amusements, can never be attracted by village life. But all healthy desires could be satisfied.

For a village need not be a lonely place. It need not be a dull place, nor a place of masters and serfs, nor a place of men ground down by poverty. It should have its public hall, open to all, irrespective of their religion or politics, which would be its library, its reading-room, its club, its concert hall, its place of social intercourse and entertainment.

But, above all, the greatest hope for the future is that every man would feel that agriculture, under the new conditions, would offer a career of comfort, if not of affluence. Every man would know that there was a chance of becoming his own master, and no man would work for less than he could get by being his own master. So wages would inevitably rise as a man found he had a second string to his bow, and was no longer driven to accept even starvation wages rather than fall out of work altogether. Better wages would mean better work, for low-paid labour is expensive, and well-paid labour is economical in the long run.

Further, as country wages were raised and rural conditions were improved, they would favourably react upon wages and labour conditions in the towns, for they would materially check the exodus from the villages which now is so prejudicial to town workers. Thus instead of the villagers being competitors for town employment they would become customers for town products.

The scarcity of cottages, which is now one of the most serious of all rural problems, would vanish. For it is due to the present inability of country labourers to pay out of their miserable earnings a rent that will provide an adequate return upon capital invested in house building. With the rise of wages that would inevitably accompany the development of agriculture under public

ownership of land, the agricultural workers would be able to afford a reasonable rent which would make cottage-building profitable, and capital would soon be devoted to the removal of the present scandalous cottage famine. There would be no need to build cheap and nasty cottages down to the level of a sweated wage, but the standard of wages could be raised to the standard of a good substantial home, in which a man might feel a pride and be secure. And it would be the duty of the State to ensure that such homes would be accessible to every man who needed one.

Then, again, the establishment of rural industries might be fostered, so that country villages would not depend upon the prosperity of the fields alone. For the discovery of electricity makes possible that which was impossible before. When all machinery power was derived from steam, it was necessary to concentrate the population upon the coal-fields, or in close proximity to them. But power can be carried on a wire long distances from where it is generated, and there is, therefore, no longer the need there used to be for great aggregations of workers in limited areas. As the Falls of Niagara now supply electric power to distant places, so one large generating station could supply power to the workers in the villages for many miles around. Thus the population could be more healthfully distributed over the face of the land than it is now, and be enabled to carry on a great part at least of their work in the sunlight of the country, and in close proximity to the corn-fields and the meadows.

With the public control of the land, including the minerals and the water power, with the public ownership of all monopolies such as the railways, the canals, and the tramways, the people themselves would be the masters of their own destiny to an extent that is unattainable

now. The physical degeneration, which is one of the saddest and most deplorable features of modern life, would be for ever ended by a return to more natural conditions. With better food, better homes, and shorter hours of labour, the national standard of height and chest-measurement and general strength would be raised, sickness and disease would be lessened, and life not only prolonged, but made infinitely happier than it now is for multitudes of the disinherited masses.

Not the least of the advantages which might be secured under the public ownership of land would be the throwing open of the country to men of all classes who want to make a home upon it. There are thousands of men every year who have retired from business, and are anxious to settle down in a quiet spot for the remainder of their lives. And there are innumerable places in the country which offer exactly the kind of site they want. But at present these are absolutely barred from them by monopolists, whose interest in land is to make it a dignified solitude for themselves, and a preserve for the game, which affords them pleasure whenever they feel inclined "to go out and kill something."

It can scarcely be doubted that there are very many people of independent and moderate means who would build homes for themselves in the country if they had the chance to do so. And their presence there would prove a great source of financial strength to the villages where they chose to settle. With the elimination of the present veto of the large fox-hunting and game-preserving landowners, the introduction of this element into country life would be encouraged. Building sites would be thrown open for selection, and, upon cheap land, new homes would arise, with a generous provision of space, and would gradually tend to remove what is frequently regarded as

one of the greatest drawbacks to life in the country, namely, its solitude.

RIGHTS OF WAY

Again, under public ownership, it would be easy to safeguard all existing rights of way, which are now so frequently endangered by encroachments, and to establish new ones. Nothing is more delightful than a walk across the country, by the hedgerows and the streams, and through the woods. And, in these days of fast and selfishly-reckless motor-driving along the high roads, it is more necessary than ever it has been that the pedestrian should be able to escape from the dust and the fumes of the main thoroughfares. Some of the most beautiful scenes in our native land are now absolutely shut off from all except the landlords themselves, and those to whom they may graciously grant their permission to share in the beauties of Nature with them. There are lovely walks over the mountains and the hills which the ordinary citizen can never take, and through the shade of the woods which are barred by the notice-boards, so typical a feature of country scenery, warning trespassers that they will be prosecuted. What is there more restful than a wander by a running stream, in the cool of the evening, when the day's work is done, or a walk by the still waters of a lake ?

Joys like these are incalculably greater than the artificial and unsatisfying pleasures of ordinary town life. The cheap picture-house, with its stuffy and used-up atmosphere, is a poor substitute for the view of a sunset from a hill-top. For contact with Nature makes for the uplifting of character and an opening-out of the mind of man. And it is not the least serious of the items in

the indictment of landlords that Nature is a closed book to the great majority of men.

But, under public landownership, the people would have it in their power to make the beauties of Nature accessible to all. A network of rights of way would be created, maps of them would be published, and invitations to make use of them would take the place of notices warning people off.. It would then be possible for a man to strap his satchel to his back for a tramp of exploration across country, and for him to go from Land's End to John o' Groats, making little use of the high roads at all except to cross them, and not interfering in any way with the effective use of land for other purposes.

In such a scheme of making Nature accessible to all the inhabitants, the rivers and the lakes would also be made available for the recreation of the people, for boating, bathing, or fishing, under regulations that would ensure the proper use of such rights, and prevent the abuse of them.

Playing fields could also be provided for every school, instead of being limited to the schools of the well-to-do, and the substitution of spacious grass fields for restricted areas of hard asphalt or the street, which are now the only playgrounds of the children of the poor, would make for the health and happiness of the people to an extent that can scarcely be measured. And for the adults, too, there would be ground allotted for cricket, football, bowls, lawn-tennis, and so on, which would all help to brighten life and make it more enjoyable.

AFFORESTATION

Then again, there are schemes for the development of the nation's resources which are impossible under private

property in land. Perhaps the chief of these is the afforestation of large areas of land which now lie waste. The Royal Commission on Afforestation and Coast Erosion reported that there are 9,000,000 acres of land in the British Isles which are capable of growing timber, but which are now lying idle, or are put to scarcely any use at all. And it recommended that that land should be gradually acquired by the State, and planted with trees. Tracts of land that are now barren could be devoted to productive purposes. The home market for timber is enormous, but it is chiefly dependent upon foreign supplies. Every year we buy foreign timber to the value of nearly £30,000,000, which could be produced at home. Ninety per cent. of our total imports of timber consist of pine, fir, and oak, for which our own soil and climate are well adapted. And, as the great forests of other countries are being cut down faster than they are replanted, we are threatened with a timber famine in the not distant future, and a consequent enhancement of prices.

The great forests of Germany are, to a large extent, public property ; they give employment to nearly half a million men, and employment in the forests is obtainable just at a time when agriculture is at a standstill.

The need for State forest lands was clearly recognised by ex-President Roosevelt. " One of the greatest of our heritages," he said, " is our forest wealth. It is the upper altitudes of the forested mountains that are most valuable to the nation as a whole, especially because of their effect upon the water supply.

" Neither State nor Nation can afford to turn these mountains over to the unrestrained greed of those who would exploit them at the expense of the future. We cannot afford to wait longer before assuming control, in the interest of the public, of these forests, for, if we do

wait, the vested interests of private parties in them may become so strongly entrenched that it may be a most serious as well as a most expensive task to oust them."

The area of British woodlands is smaller than that of any European country, and only 67,000 acres, or 2¼ per cent., belong to the State. Yet the growing of timber is peculiarly a business which the State can conduct better than the individual. For the harvest of the forest is long in ripening, and few individuals care to plant a crop the full benefit of which only their successors can enjoy.

A hundred years ago the Landes district of France was one of the poorest and most miserable in the whole country. To-day it carries timber worth £40,000,000.

The first cost of nationalising the land, which in many cases is worth no more than £1 per acre, and planting it, at a cost of from £3 to £8 per acre, is not a great thing for the State to undertake, and in only a few years there would be some return, as from the thinnings and the undergrowth. And, in the course of time, the national forests might become a substantial source of wealth, and provide much-needed employment, not only directly in forestry itself, but also in the subsidiary industries which would spring up and flourish in forest districts.

Besides the land that could be afforested by the State, there are areas which need to be drained or redrained before they can be properly utilised, and other lands which could be reclaimed from the sea, as has been done in many cases already. Coast erosion could also be stopped by the construction of defence works. And all these things, if wisely carried out, would increase employment for labour, and add to the national wealth and the productivity of the soil.

It is not necessary to contend that the solution of the

land problem would solve all problems. But it is within the truth to say that it would make the solution of all other problems more easy. It would increase the production of the good things of life, and, more important still, it would promote the more equitable distribution of them. It would guarantee a home to every man, and secure him from arbitrary eviction. He could sit under his own vine and fig tree, and none have the power to make him afraid.

It would destroy all the barriers which monopoly and privilege have erected against labour. It would enlarge the field of work, and, though it would not prevent the fluctuations of employment which characterise seasonal trades, it would make impossible the chronic unemployment which now exists. For there is never a time when men can say that all their wants are satisfied. There is always work to be done, work that badly needs to be done, always abundance of labourers ready to do it, and always abundance of the raw material out of which all man's wants are supplied.

When a willing man is out of work, when an industrious man is poor, it is always traceable to the one supreme mistake which mankind has made in allowing land to be the property of private individuals, to be used or not used as in their pleasure they may choose.

In a state of nature the problem of the unemployed man is absolutely unknown, the problem of the workless tramp and the beggar is non-existent. And, whatever poverty there is, is due to man's imperfect knowledge and mental development, not to monopolistic property rights. For the fields, and the wood, and the stream, are open to all alike. There are no landless workers on the one hand, and idle tribute-takers on the other hand; no contrasts of rich and poor, stately mansion and

miserable hovel, such as are the outstanding features of our so-called civilisation.

Under natural conditions these glaring social contrasts would inevitably vanish, for inequalities of condition are due, not to inequalities of merit or capacity, but solely to inequalities of opportunity. For the minds of men are like the land itself—their yield is according to their cultivation. Let, therefore, the advantages of education, leisure, and culture, be accessible to all the children of the nation, and every avenue be thrown open for their advancement according to their unfettered capacity, and we should witness such an uplifting of the mental, moral, and physical standard of the race as the world has never yet seen.

With all the natural resources of the country in collective ownership, and with the public ownership of all monopolies which are fostered by, and inseparable from, private property in land, the State would be so liberally endowed that it could promote the prosperity of the people in a hundred different ways which are now impossible.

Private property in land has had a long trial, and it has woefully failed. It has enriched the few, but it has impoverished the many. It has fostered the privileges of the few, but it has destroyed the rights of the many. It has produced the Stately Homes of England, and has driven thousands of men from their native villages because they could not get a home at all. It has created the lonely, wall-girt park, and the crowded courts and alleys of the big towns. It has checked, handicapped, and penalised industry, and it has shut out the beauties of Nature from the enjoyment of men.

With full consideration for all the legal interests which the State has itself permitted to take root, the time

has come for the nation to assume the ownership and control of its own land, to dedicate it to the use of the people as an inalienable possession for ever, and to devote its annual rental value to the common good.

It is the greatest and the noblest work to which the nation can set its hands, and it is fraught with immeasurable good to the present and all future generations.

POSTSCRIPT

AFTER this book had been written, and while it is still in the press, the Government's rural land policy has been announced by Mr. Lloyd George at Bedford and Swindon. It is in the highest degree encouraging to the author to find that some of the chief reforms which have been advocated in the foregoing pages are embodied in the Government programme, e.g., Fair Rent Courts, the building of rural cottages by the State, the establishment of a Central Land Authority, and the nationalisation of land for afforestation and reclamation.

The Government's urban policy has yet to be announced, but, in view of its endorsement of the Acquisition of Land (Public Authorities) Bill, last year, it may be reasonably expected that that policy will include the granting of simple and extensive powers of land purchase to local authorities, to be held subject to the supremacy of national ownership.

The creation of a Ministry of Lands, with powers to control the monopoly of land as a whole, is an auspicious omen. For if landlords are to become mere rent receivers there is no justification for them remaining so in perpetuity, and their complete extinction on terms equitable to the State as well as to them, should only be a question of time.

The promised statutory establishment of a minimum

wage for agricultural labourers is calculated to reduce the rent of agricultural land, at least for the time being; and, when that is done, its nationalisation ought to be proceeded with forthwith, *before* the subsequent rise in land values, which is bound to take place as the result of the inevitable rural revival.

J. H.

October 23rd, 1913.

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